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GENERAL PROVISIONS 10

1.1

Commission on the Ghy Plan!

Pursuant to the authority vested in the Common Council of the City of Utan Bill Munday 3514) Homber 23/)
Middletown by Special Acte of the General Assembly of the State of Cornecticut to divide the City of Middletown into Zones and TO regulate the location, the construction, the reconstruction, the addition and the alteration of all structures hereafter erected; TO regulate and limit the height and size of structures; TO regulate and determine the area of pards, courts, open spaces and the size of lots; TO regulate and determine the construction in fleed areas; FOR the purpose of lessening congestion in the streets; FOR the purpose of securing safety from fire, landslides, fleods, panic and other dangers; FOR the purpose of providing adequate light and air, transportation, water, sewerage, schools, parks, recreational facilities and other public requirements; FOR the purpose of preventing the overcrowding of lead and avoiding undus concentration of population; FOR the purpose of conserving the value of buildings and encouraging the most appropriate use of land; FOR the purpose of promoting health, sajety, comfort of living and working conditions, moral and general welfare of the citizens of the City of Middletom; all in accordance with a comprehensive plan; and to prescribe penalties for the violation of its provisions; Now, Therefore, BE IT ORDAINED BY THE COLMON COUNCIL OF THE CITY OF MIDDLETOWN, CONNECTICUT.

LAND AREAS NOT GOVERNED BY THIS ORDINANCE 20

The following land areas or uses shall not be governed by this ordinance, 2,1 unless otherwise specifically stated in rules and regulations of City, State or Federal Agencies or in sections of this Ordinance.

> State Properties City Properties

U, S. Federal Government Properties

3. PROHIBITED USES

3.1 Any of the following uses are prohibited in City of Middletown:
Animal Crematoriums, Human Crematoriums, and Trailer Parking.

4. DEFINITIONS

4.1 For the purpose of this Ordinance certain terms or words used herein shall be interpreted or defined as follows:

Words used in the present tense include the future tense. Words in the singular include the plural.

The word "lot" includes the word "plot", "piece", or "parcel".

The word "used" or "occupied" shall include the words

"arranged, designed, or intended to be used or occupied".

The word "shall" is always mendatory, and not directory.

The word "person" includes a corporation as well as an individual.

4.2 Accessory Building or Use: A subordinate building or use to the principal building or use on the same lot.

Addition: Any alteration which increases the size of a structure.

Alteration: A change or rearrangement of a structure without increasing its size.

Apartment: The square footage of a single family living space unit within an apartment house.

Apartment House: A structure used for residential purposes only of 4 or more single family living space units.

Basement or Cellar: Any floor area below ground level.

Block: Any land area surrounded by public thoroughfares.

Building: Any structure other than a boundary wall, bridge, radio tower, sign or fonce.

Building Height: A vertical distance between the ground fleer level and the highest ceiling height of a building.

Building Line: Any horizontal distance between a structure and a front let line.

Corner Let: Any parcel of land fronting two or more intersecting streets,

Court: Any unoccupied open space surrounded by 2 or more walls,

Dwelling: Any building or structure used for residential purposes enly consisting of 1 to 3 single family living space units.

Dwelling Unit: A single-family living space unit used exclusively for residential purposes.

Family: One or more persons living as one housekeeping unit,

Finished Grade: The completed surfaces of landscaping on a let.

Front Let Line: The dividing line between a street or sidewalk and the let.

Front Yard: An open uneccupied area on same lot with a building between the Front Lot or Sidewalk Line and the Building Line and extending the full width of the Lat.

Garage: A building or part of one used for the storage of nonconmercial venicles,

<u>Gasoline Station</u>: Any area of land, including structures thereon used for the sale of gasolines and other lubricants and for the servicing of motor vehicles.

home Cocupation: A part time profession or hobby and carried on as a secondary use to the dwelling or building, but shall otherwise conform with regulations set forth in this Ordinance,

Interior lot: Any lot other than corner lot.

Junk Yard: A lot on which 200 or more square feet inside or outside of a building is used for the storage of scrap materials sold in parts or by bulk.

Living Space: The square footage of any floor area within a building used solely for residential purposes, exclusive of such areas as Attics, stairways, open or colleged porches, calconies, garages, terraces, breezeways, casements or cellars, elevator shafts, stairwells, storagerooms, closets, interior balconies, mezzanines, or other accessory uses,

Living Space Unit: The floor area within a structure used and occupied exclusively for residential purposes by a single family.

Lot: A lot is any piece or parcel of land whether structurally unoccupied, or constructed upon, or to be constructed upon and occupied by ONE building and the accessory buildings or uses customarily or necessarily incident to such building, including such open spaces as are required by this ordinance and owned by one or as a corporation.

ot Line: Any line dividing one lot from another.

Nonconforming Use: The lawful use of land or a structure thereon although use does not conform with the regulations of this ordinance.

Principal Building: A building in which is conducted the major use of the lot on which said building is located,

Plat: A map, plan, layout or design of proposed or interded construction or improvement of any kind.

Rear Lot Line: The lot line most distant from the front lot line.

Rear Yard: An open unoccupied area on the same lot with a building between the rear building line and the rear lot line and extending the full width of the lot.

Row or Group Houses or Carden Apartments: A row or group house, or garden apartment is a building of not more than 2 1/2 stories in height, consisting of a series of noncommunicating single-family living space units, having or not having a common wall between each two adjacent units, and consisting of not more than six single-family living space units per row or group unit. Said row or group unit shall be considered as one building of a lot.

Side Lot Line: Any lot line other than the front or rear lot line.

Sidewalk Line: The dividing line between the sidewalk and the lot.

Side Yard: An open unoccupied area on the same lot with a building situated between the side building line and the side lot line and extending from the front yard to the rear yard.

Sign: Any structure used for the purpose of displaying or advertising.

Single Family Dwelling: A structure used exclusively for residential purposes and consisting of one single family living space unit.

Story: That part of a building which measures between finished floor to finished floor or finished floor to finished ceiling.

Street: Travelled portion of a public or private thoroughfare.

Street Line: The dividing line between the street and the sidewalk.

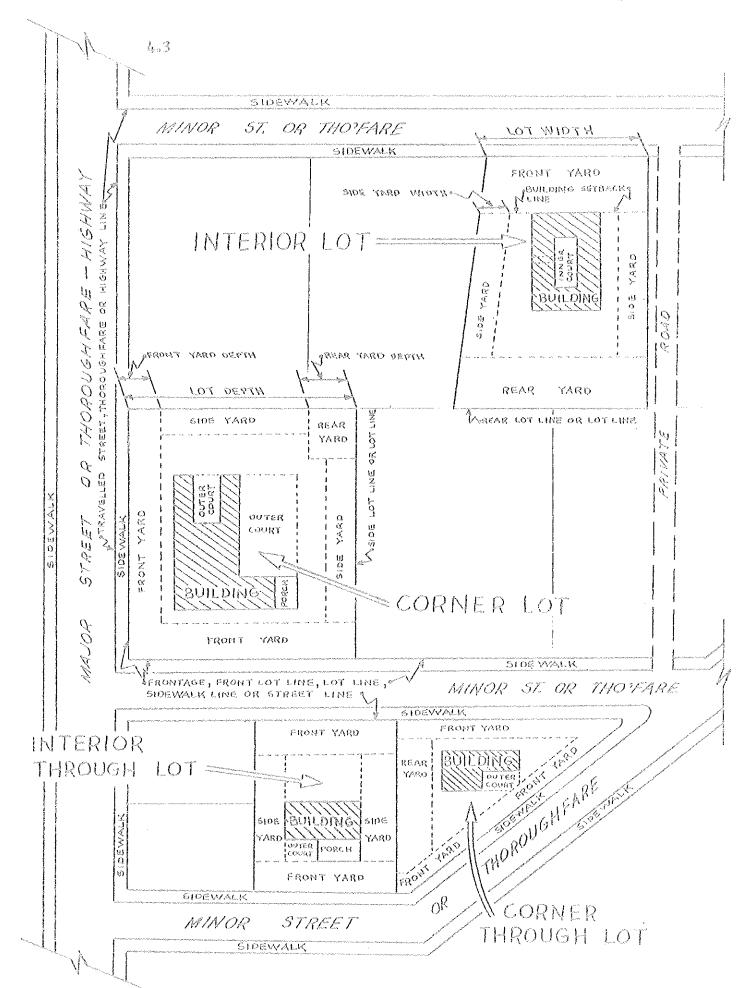
Structure: A combination of materials forming a safe and stable construction.

Through Lot: A lot having frontage to two parallel or approximately parallel streets.

Trailer: A vehicle used for living or sleeping purposes.

Use: The specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained.

Yard: An unoccupied area on the same lot with a building or structure.



5. THE ZONES

5.1 For the purpose of promoting the public health, safety, morals, and general welfare of the community, the City of Middletown, Connecticut, is hereby divided into the following eighteen zones:

elle di	Park-Recreational Zone 1	PRunl	Parks, Recreation & Light Commercial		
2.,	Residential Zone 1	8-1	One-family Dwallings ONLY		
3.	Residential Zone 2	R-2	One-family Dwellings ONLY		
Å, o	Residential Zone 3	R=3	One-family Decilings ONLY		
5.	Residential Zone 4	$R - l_t$	One & Two-family Dwallings ONLY		
6.	Residential Zone 5	Res 5	One, Two & Three-Family Dwellings ONLY		
7,	Apartsant Zone 1	A-I	Apartments, Row & Group Houses ONLY		
8,	Apartment-Commercial Zone 1	AC=1.	Apartments and Medica Commercial		
9.	Commercial Zone 1	C-1	Naighborhood Commercial ONLY		
10.	Commercial Zone 2	C=2	Light Commercial CNLY		
	Commercial Zone 3	C-3	Madium Commercial ONLT		
12.	Commercial Zone &	C-4	Downtown Commercial ONLY		
13.	Commercial Zone 5	C-5	Commercial ONLY		
14.	Commercial-Industrial Zone 1	CIL	Research Laboratories ONLY		
15.	Commercial-Industrial Zone 2	GI-2	Commercial and Light Industrial ONLY		
16.	Industrial Zone 1	L-l	Industrial ONLY		
17.	Industrial Zone 2	ï=2	Industrial ONLY		
18,	Natural Resource Zone 1	NR-1	Natural Researce Preservation		
5.2 The specific boundaries of the above designated zones shall be					

5.2 The specific boundaries of the above designated zones shall be established by street or sidewalk lines, railroad track taking lines, right of ways, brooks, streams, rivers, lakes, and lot lines as illustrated on the ZONING AND GENERAL PLAN MAP of the City of Middletown, Connecticut, dated, 1961, which map is hereby declared to be part of

this Ordinancs.

Residential 2 R-Z Paglo	Single Family Dwellings ONLY	(120-230)	120	2 1/2-54	30	30	
and the second s	6. S 0)	REDULE	. O F	ZONIN		and the control of th	
	PERMITED			ISAXIMUM.	SIZE OF MANDATORY OPEN		
ZONE	PRINCIPAL USES	AREA	FROM TAGE	BUILDING	MINIKUM FRONT YARD Lin. Ft.	MINIMUM SIDE YARD Lin. Ft.	
Park-Regreat ion	Parks, Mecreation	Sq., Ft.,	Latoft	alast i ser suma i musu menerum per rentre meri in termer i in terre di terre di terre di terre di terre di te	And I (III) is the second seco	AAAAA SAA SAA SAA SAA SAA SAA SAA SAA S	
Page 9	à lit, Commercial	anas zakonii tea ankon varionen era varionen zona serio questo i	N O	RESTRI	andra arm ar fari mercelet entre trata a trata de servicio de 1861 e trata e trata de 1861 e trata e 1861 e tr	ray and production of the section of	
Residential 1	Single-Family Owellings OM.7	(200-300) (200-300)	200	2 1/2-56	40	2.0	
Feridential 3	Single-Femily Desilings OWLY	1 8,000 (1 0 0-180)	100	2 1/2-St.	25	20	
Residential 4	Single-Family Dwellings ONLY	12,600 (90-140)	90	2.1/2-56.,	20		
Residential 5	l & 2 Family Owellings ONLY	9,000 (75-120) a)b)d)	75	2 1/2-94,	3.5	The Committee of the Co	
Residential 6 R- 6	l, 2 & 3 Family Dwallings ONLY	6,000 (60-100) a)b)d)	60	3-33-7	10	Section of the sectio	
	Ajartments, Row & Group Houses	(150-267) e)	150	10-St. (Acc. to Edg. Code)	30 h)	3 0 h)	
Apartment- Germercial AG-124	Arartments & Frank Medium YFRM. Commercial ONLY	60,000 (200-300)	200	APT: 10-St. (AccBgCode) CML: 2-St.	APT: 40 CML: None h)	40	
Communicial (1997)	Helphborhood Commercial ONLI (Neighborhood Store)	3 0 ,000 (1 2 0-250)	140	Special Section (Section of the Section of the Sect	Ft.Yrd. Bord.Zore	30(50 if BordResZom) 1)	
Commercial 2	Light Commercial ONLY (Highway notel-Restaurn	人() ((() () () () () (() () () () () () (150	1 1/2 86.	Ft.Ird.	30(500Res)	
Conservial Jacque	Pedium Commercial ONLY (shopping Centers)	(200-400)	e genza e oriumina consistence um ren 2. SS	Jan Salaha	SO S	50	
lonwerelal A. A.	Osanicase Cosmorcial ONLY (Redevelopment-Arass)	(200-300) (50,000	200	Unlimited (AccEgCode)	NOTE:	30 one side ONLT h)	
lommercial 5 / 5 / 1-5 43	Cormercial ONLY (All pround Commercial)	15,000 (100-150)	1(0)	Unlimited (AceBgCode)	20	30 one side OWLY h)	
	Researck Laboratories ONLY	(\$00-700) 80*000	200)	3-86,	50 1)	50	
5 (17 (5 Y G FA L 3)	Commercial & Light Industrial ONLY (Warchedding)	(200-300)	2,000	3 = 5 ty	30	20	
	Industrial ONLY	36 Acres (600-726)	1000	Unlimited (AccBgCode)	950	250	
industrial 2 5 1	Industrial ONLY	(30,000 (3 2)- 350)	12)	(Andimited (AnchyGode)			

3	0	15	15	1400 (32×44)	(26×35)	1 per Dwelling Unit	None	
RESTRICTIONS AND RECULATIONS								
SPACE	SPACES FAXIEUM LOT COTERAGE		MINIMUM LIVING SPACE		MINIMUM HAMDATORY OFF-STREET	PERMITTED USES FOR		
MINIS R AR	iUM	CORNER LOT	INTERIOR LOT	1-STORY D. HLLING	Z-STORY D. P.L.LING	PARKING SPACE	SIGNS	
YARD Lin.	Pt.	2, 2, 130.1	Z Z	Gq. Ft.	Sq. Ft,	erner shared and a state of the		
Approval City Plan & Zoning Commission								
. 40	gang ay agam gi kang king pang and ang antanada a aking king ang ang ang ang ang ang ang ang ang a	10	10	1.600/fam. (34-48)	2000/fam, 2 (28-36)	1 per Duelling Unit	llar sperioritis i incressivente unitaria interessaria esperioritis (incressivente esperioritis) (interessivente esperioritis)	
25			1	1300/fam, ((30-44)	16 5 0/fam. 2 (2 6 -32)	1 per Dwelling Unit	co-	
. 20	erooleeteer kaarin erooleeteeroore	20	20	1000/fam。 (28-36)	1440/fam. 2 (24-30)	1 per Dwelling Unit	NONE	
15	, pag-pantaka huminika (h. 1912) Alba Per	22	22	800/fam, (25-32)	1340/fam. 2 (24-28) 1600/2-fam.	l per Dwelling Unit		
1.3	en general en	enement sa ser entre constituit de constitui	S S	700/fam. (25-28)	1240/fam, 2 (23-27) 1300/2-fam, 2100/3-fam,	1 par Dwelling Unit		
30 h)	ı	20 f)g)	20 f)g)	1-BiD: 450 (18-25) 2-BED: 760 (22-32) 3-BED: 900 (25-36) 4-BED: 1100 (29-38) 5-RED: 1300 (30-44)		4/5 Dwelling Units	15 sq. ft.	
40 h)	afficience and a state of the s	, "	APT: 15 cfL: 15 g)			APT: 4/5 Dwall. Units CML: See Cml. Prkg.	APT:15sq.ft.	
30 (50 Borak	O if esZon)	8) 50	15	W O HE		See Cal. Prkg.	30 sq. ft.	
30 (50 1))BaRZ)	25 g)	20 8)				10% of Facade	
50 1)		25 g)	20 g)				10% of Facade or 200 sq. ft.	
50 h)	·	(9)	30 g)			1 sq. ft. prkg./1 sq. ft. of Bldg.	10% of Facade or 200 sq. ft.	
30	er a registration event at the centre above.	30 20	ambier segui et i resumana erra li rizla quello 25			See Cal. Prks.	10% of Facads or 100 sq. ft.	
50 1) 50 1) 50 20 30 50	nad ngamakakahan katang masah wakah	25 g)k) www.sessessessessessessessessessessessesses	20 20 20 20 6) K)	NONE		See Cal. Prkg.	10% of Facade or 200 sq ft. 10% of Facade or	
# 50	ty (Opponier et Petrologiet p.C.) Zwysia en sons	30 8)1)3) 25)133	30 g) 1)m)	M O M E		see Ind. Prkg.	150 s; ft. 10% of Facade or 10% of Facade or	
[<u>h</u>)	are stated in the second constitution to the gar-	g)1)m)	g)1)m) ''	o reconstruction of the second	7 T C T T O N	in the second se	LO sq. it.	

6. SCHEDULE OF ZONING RESTRICTIONS & REGULATIONS (CONTINUED):

- a) Must meet requirements of State and local Regulations on Private Water Supply and Sewer Disposal Systems.
- b) An additional 3000 square feet of land shall be added for each family over one.
- e) An additional 10 linear feet of frontage shall be added for each family over one.
- d) If served by either water or sewer, an additional 2500 square feet of land shall be added to the lot; if served by neither water nor sewer, an additional 5000 quare feet of land shall be added to the lot.
- e) All structures used for residential purposes shall be served by both water and sewer.
- f) An additional 5% of lot coverage shall be permitted for buildings of 3 stories or less.
- g) Unutilized land areas within a development are prohibited to all other uses, except parks, landscaped playgrounds or other recreational facilities.
- h) The distance between buildings or parts thereof, such as wings, inner and outer courts, the minimum shall be 40 linear feet for buildings of 4 stories or less, and an additional 10 linear feet shall be added for each story over 4, until the distance totals 80 linear feet (8-story building).
- i) The distance between buildings or parts thereof, such as wings, inner and outer courts, shall be 40 linear feet.
- j) The minimum front, side or rear yard widths and depths for lots bordering any other zone or a town line shall be 300 linear feet.
- k) For commercial-industrial expansion an additional 5% of lot coverage is allowed.

6. SCHEDULE OF ZONING RESTRICTIONS & REGULATIONS (CONTINUED):

- 1) For open-air storage an additional 10% of lot coverage is allowed.
- m) For industrial expansion an additional 10% of lot coverage is allowed.

Commercial Parking:

- a) 1 parking space/40 square feet of building space: Refreshment Stands.
- b) 1 parking space/150 square feet of building space: Heavy Retail Establishments.
- c) I parking space/300 square feet of building space: Personal Service

 Establishments; Service Establishments, but not Ambulance Services; Auto
 mobile Driving Schools, Automobile Rental Establishments, Commercial Park
 ing Garages or Lots, Hospitals, Institutions for Childr n or Aged,

 Philanthropic Institutions and Sanitariums; and Light Retail Establishments,
- d) I purking space/1 room or suite: Motels, Roadside Imms and Tourist Cabins,
- e) 1 parking space/3 of rated capacity: Eating, Drinking or Entertainment Establishments, but not Refreshment Stands,
- f) 1 parking space/500 square feet of building space: Professional Offices;Offices; Art Galleries, Auction Rooms, Libraries and Museums.
- g) 1 parking space/4 heds or 500 square feet of building space, whichever will require a larger number of parking spaces: Hospitals, Institutions for Children or Aged, Philanthropic Institutions and Sanitariums; and Dormatories.
- h) l parking space/2 boat berths: Marinas

6. SCHEDULE OF ZONING RESTRICTIONS & REGULATIONS (CONTINUED):

Corrercial Parking (Continued):

- 1) I parking space/5 rated capacity: Places of Assembly, but not Art Galleries, Auction Rooms, Dormatories, Libraries, Marinas, Fotels, Museums, Roadside Inns and Tourist Cabins.
- j) 1 purking space/3 employees: Ambulance Services, Automobile Driving Schools, Automobile Rental Establishments, Commercial Parking Garages or Lots; Sales and Service Establishments; Wholesale or Warehousing Establishments; Commercial-Industrial Establishments; and Research Laboratories.

Industrial Parking:

a) 2 parking spaces/3 employees on major shift; if on one shift, 1 parking space/3 employees.

7. PARK-RECREATIONAL ZONE 1 (PR-1)

- 7.1 All land areas within the City of Mi'dletown which are presently or may in the future be used, appropriated or operated by said city for the purposes of Public Parks, Squares, Greens, Esplanads, Boulevards, Playgrounds, Camps, or other recreational uses are hereby included in the Park-Recreational Zone.
- 7.2 No building or structure in a Park and Recreation Zone shall be used or constructed for other purposes than Public Memorials, Libraries, Kuseums, Buildings for Recreational uses, Restaurant and Refreshment Stand facilities and Gaseline Stations (Light Repair Only). All structures in said zone are subject to approval of the Middletown City Plan & Zoning Commission.
- 7.3 All rules and regulations of the Middletown Park Commission shall apply in a Park and Recreation Zone.

RESIDENTIAL ZONE 1(R-1)

- 8.1 Permitted Principal Uses: Single-Family Dwellings ONLY.
- R_c2 <u>Special Permitted Uses</u>: Places of Worship, Parsonage, or Rectory, also Park or Recreation facilities according to subdivision regulations. All regulations and restrictions of Commercial Zone 3 shall apply for Places of Worship.
- 8.3 Required Lot Area: The minimum lot area per single-family dwellings shall be 60,000 square feet and the minimum frontage shall be 200 linear feet.
- 8.4 <u>Building Height Limit</u>: No building or structure shall exceed 2 1/2 stories in height.

- 8.5 <u>Mandatory Open Spaces:</u> Each corner lot shall consist of two front yards, two side yards and one rear yard, each corner through lot shall consist of three front yards and one side yard, each interior lot shall consist of one front yard, two side yards and one rear yard, each interior through lot shall consist of two front yards and two side yards and the following minimum widths and depths shall regulate:
 - a. Each front yard depth 40 linear feet minispa.
 - b. Each side yard width 40 linear feet minimum.
 - e, Rear yard depth 40 linear feet minimum.
- 8.6 Percentage of Lot Coverage: All principal and accessory buildings or structures shall not exceed the following maximum percent of lot coverage:
 - s. Comer lot 10% maximus.
 - b. Interior Let 10% maximus.
- 6.7 Required Living Space: Each single family dwelling shall have the following minimum square feet of living space:
 - a. 1-story dwellings 1600 sq.ft. minimum per living space unit.
 - b. 2-story dwellings 2000 sq.ft. minisam per living space unit.
- \$.8 Mandatory Off-Street Parking: Each single family dwelling shall provide a minimum of 1 parking space per living space unit. Parking space and/or driveway shall have a dustless surface, graded and drained as part of storm sewerage system for lot, her shall the parking space and/or driveway be closer than 20 linear feet from any lot or street line and the entrance to and from said premises shall create no traffic basard.
- 8.9 Permitted Vees 128 Siras: Now.

9. RESIDENTIAL ZONE 2 (R-2)

- 9.1 Fermitted Frincipal Uses: Single-Family Dwellings ONLY.
- 9.2 Special Permitted Uses: Places of Worship, Parsonages, or Rectories, as well as also Park or Recreation facilities according to subdivision regulations.

 Golf Courses or Gulf Driving Renges.

 All regulations and restrictions of Commercial Zone 3 shall apply for Places of Courses, or Golf Prining Ranges see Section 30, Paragraph II.

- 9.3 Required Lot Area: The minimum lot area per single-family dwellings shall be 28,600 square feet and the minimum frontage shall be 130 linear feet.
- 9.4 Building Neight Limit: No building or structure shall exceed 2 1/2 stories in height.
- 9.5 <u>Mandatory Open Spaces:</u> Each corner lot shall consist of two front yards, two side yards and one rear yard, each corner through lot shall consist of three front yards and one side yard, each interior lot shall consist of one front yard, two side yards and one rear yard, each interior through lot shall consist of two front yards and two side yards and the following minimum widths and depths shall regulate:
 - a. Each front yard depth 30 linear feet minimum.
 - b. Each side yard width 30 linear feet minimus.
 - c. Rear yard depth 30 linear fust minimum.
- 8.6 <u>Percentage of Lot Coverage:</u> All principal and accessory buildings or structures shall not exceed the following maximum percent of lot coverage:
 - a. Comer Lot 15% maximum.
 - b. Interior lot 15% maximum.
- 8.7 Required Living Space: Each single family dwelling shall have the following minimum square feet of living space:
 - a. 1-story dwellings 1400 sq.ft. minimum per living space unit.
 - b. 2-story dwellings 2800 sq.ft. minimum per living space unit.
- 8.8 Handatory Off-Street Parking: Each single family dwelling shall provide a minimum of 1 parking space per living space unit. Parking space and/er driveway shall have a dustless surface, graded and drained as part of storm sewerage system for lot, her shall the parking space and/or driveway be closer than 20 linear feet from any lot or street line and the entrance to and from said premises shall create no traffic hazard.
- 8.9 Permitted Uses for Signs: Nows.

10. RESIDENTIAL ZONE3(R-3)

- 10.1 Permitted Principal Uses: Single-Family Dwellings OWLY.
- 10.2 Special Permitted Uses: Places of Worship, Parsonages or Rectories, also Park or Recreation facilities according to subdivision regulations, as well as Golf Courses, or Golf Driving Ranges. All regulations and restrictions of Commercial Zone 3 shall apply for Places of Worship. For Golf Courses, or Golf Driving Ranges see Section 30, Paragraph 11.
- 10.3 Required Lot Area: The minimum lot area per single-family dwellings shall be 19,200 square feet and the minimum frontage shall be 100 linear feet.
- 10.4 Building Height Limit: No building or structure stall exceed 2 1/2 stories in height.
- I 6.5 Mandatory Open Spaces: Each corner lot shall consist of two front yards, two side yards, and one rear yard; each corner through lot shall consist of three front yards and one side yard; each interior lot shall consist of one front yard, two side yards and one rear yard; each interior through lot shall consist of two front yards and two side yards and the following widths and depths shall regulate:
 - a. Each front yard depth 25 linear feet minimum,
 - b. Each side yard width 2**6** linear feet minimum.
 - o. Rear yard depth 25 linear feet minimum or the side yard width for corner lots only.
- 10.6 Percentage of Lot Coverage: All principal and accessory buildings or structures shall not exceed the following maximum percent of lot coverage:
 - a. Corner let 15% maximum.
 - b. Interior lot 15% maximum.

- 10.7 Required Living Space: Each single-family dwelling shall have the following minimum square feet of living space:
 - a. 1-story dwelling 1300 square feet minimum per living space unit.
 - b. 2-story dwelling 1650 square feet minimum per living space unit,
- 10.8 <u>Mandatory Off-Street Parking</u>: Each single-family dwelling shall provide a minimum of 1 parking space per living space unit. Parking space and/or driveway shall have a dustless surface, graded and drained as part of storm sewerage system for lot; and no parking space or driveway shall be closer than 10 linear feet from any lot or street line; and the entrance to and from said premises shall create no traffic hazard.
- 10.9 Permitted Uses for Signs: None

10. BESIDENTIAL ZONE 4 (R-4)

- 10.1 Permitted Principal Uses: Single-Farily Dwellings ONLY,
- 10.2 Special Permitted Uses: Places of Worship, Parsonages or Rectories, also Park or Recreation Facilities according to subdivision regulations, as well as Golf Courses or Golf Driving Ranges and Home Occupations, provided that there shall be no external evidence of said occupations except a small non-illuminated sign not exceeding 1 square foot in size. All regulations and restrictions of Conmercial Zone 3 shall apply for Places of Worship. For Golf Courses or Golf Driving Ranges see Section 30, Paragraph 11.
- 10.3 Required Let Area: The minimum lot area per single-family dwelling shall be 12,600 square feet and the minimum frontage stall be 90 linear feet; however, the let must meet requirements of State and local regulations on Private Water Supply and Sewer Disposal Systems, thus possibly increasing the lot area.

- 10.4 Building Height Limit: No building or structure shall exceed 2 1/2 stories in height.
- 10.5 Mandatory Open Spaces: Each corner lot shall consist of two front yards, two side yards, and one rear yard; each corner through let shall consist of three front yards and one side yard; each interior lot shall consist of one front yard, two side yards, and one rear yard, each interior through lot shall consist of two front yards and two side yards and the following widths and depths shall regulate:
 - a. Each front yard depth 20 linear feet minimum.
 - b. Each side yard width 15 linear feet minimum.
 - c. Each rear yard depth 20 linear feet minimum or the side yard width fer corner lots only.
- 14.6 Percentage of Lot Coverage: All principal and accessory buildings or structures shall not exceed the following maximum percent of lot coverage:
 - a. Corner Lot 20% maximum,

- b. Interior Lot 20% maximum.
- 14.7 Required Living Space: Each single-family dwelling shall have the following minimum square feet of living space:
 - a. 1-story dwelling 1000 sq.ft. minimum per living space unit.
 - b. 2-story dwelling 1440 sq.ft. minimum per living a race unit.
- 14.8 Handstory Off-Street Parking: Each single-family dwelling shall provide a minimum of 1 parking space per living space unit. Farking space and/or driveway shall have a destless surface, graded and drained as part of storm sewerage system for let; the parking space and/or driveway shall not be closer than 6 linear feet from any let or street line and the entrance to and from said premises shall create no traffic hazard.
- 10.9 Permitted Uses for Signal None,

- 12. RESIDENTAL ZONE 5 (R-5)
 - 12.1 Permitted Principal Uses: Single and Two-Family Dwellings ONLY.
 - 12.2 Special Permitted Uses: Places of Worship, Parsonages or Rectories, also Park or Recreation facilities according to subdivision regulations, as well as Home Occupations, provided that there shall be no external evidence of said occupations except a small non-illiminated sign not exceeding 1 square foot in size. All regulations and restrictions of Commercial Zone 3 shall apply for Places of Worship,
 - 12.3 Required Let Area: The minimum lot area per single-family dwelling shall be 9000 square feet and the minimum frontage shall be 75 linear feet and for each family over one an additional 3000 square feet shall be added to the lot. If served only by either water or sewer an additional 2500 square feet shall be added to the lot and if served by neither water nor sewer an additional 5000 square feet shall be added to the lot; however, the let must meet requirements of State and local regulations on Private Water Supply and Sewer Disposal Systems, thus possibly increasing the lot area even more.
 - 17.4 Building Height Limit: No building or structure shall exceed 2 1/2 steries in height.
 - 12.5 Mandatory Open Spaces: Each corner let shall consist of two front yards, two side yards and one rear yard; each corner through let shall consist of three front yards and one side yard; each interior let shall consist of one front yard, two side yards, and one rear yard; each interior through let shall consist of two front yards and two side yards and the following widths and depths shall regulate:
 - a. Each front yard depth 15 linear feet minimum,
 - b. Each side yard width 10 linear feet minimus.
 - c. Rear Yard depth 15 linear feet minimum or 13 linear feet for corner lots only.

- 12.6 <u>Percentage of Lot Coverage:</u> All principal and accessory buildings or structures shall not exceed the following maximum percent of lot coverage:
 - a. Comer lot 22% maximum.
 - b. Interior Lot 22% maximum.
- 12.7 Required Living Space: Each dwelling shall have the following minimum square feet of living space:
 - a. 1-story single-family dwelling 600 square feet minimum per living space unit.
 - b. 1-story, 2-femily dwelling 1600 square feet minisum

 per 2 families or

 800 square feet per living

 space unit.
 - e. 2-story, single-family dwelling 1340 square feet minimum
 per living space unit.
 - d. 2-story, 2-family dwelling 1600 square feet minimum

 per 2 families or

 800 square feet per living

 space unit.
- 12.8 Mandatory Off-Street Parking: Each dwelling shall provide a minimum of 1 parking space per living space unit. Parking space and/or driveway shall have a dustless surface, graded and drained as part of storm sewer system for lot; the parking space and/or driveway shall not be closer than 2 linear feet from any let or street line and the entrance to and from said premises shall create no traffic hazard.
- 12.9 Permitted Uses for Signs: None

13. RESIDENTIAL ZONE 6 (R-6)

- 13.1 Permitted Principal Uses: Single, 2 and 3-Family Dwellings ONLY,
- 13.2 Special Permitted Uses: Places of Worship, Parsonage or Rectory, also Park or Recreation facilities according to subdivision regulations, as well as Home Occupations, provided that there shall be no external evidence of said occupations, except a small non-illuminated sign not exceeding 1 square foot in size. All regulations and restrictions of Commercial Zone 3 shall apply for Places of Worship.
- 13.3 Required Lot Area: The minimum lot area per single-family dwellings shall be 6,000 square feet and the minimum frontage shall be 60 linear feet and for each family over one an additional 3,000 square feet shall be added to the lot and the additional frontage shall be 10 linear feet for each family over one. If served only by either water or sewer an additional 2,500 square feet shall be added to the lot and if served by neither water nor sewer an additional 5,000 square feet shall be added to the lot; however, the lot must next requirements of State and local regulations on Private Water Supply and Sewer Disposal Systems, thus possibly increasing the lot area even more.
- 13.4 <u>Building Height Limit:</u> No building or structure shall exceed 3 stories in height.
- 13.5 Mandatory Open Spaces: Each corner lot shall consist of two front yards, two side yards and one rear yard; each corner through lot shall consist of three front yards and one side yard; each interior lot shall consist of one front yard, two side yards and one rear yard; each interior through lot shall consist of two front yards and two side yards and the following widths and depths shall regulate:
 - a. Each front yard depth 10 linear feet minimm.
 - b. Each side yard width 8 linear feet minimum.
 - c. Rear yard depth 13 linear feet minimum.

- 13.6 Percentage of Lot Coverage: All principal and accessory buildings or structures shall not exceed the following maximum per-cent of lot coverage:
 - a, Corner Lot 25% maximum.
 - b. Interior Lot 25% maximum.
- 13.7 Required Living Space: Each dwelling shall have the following minimum square feet of living space:
 - a. 1-story single-family dwelling 700 square feet minimum per living space unit.
 - b. 1 story 2-family describing 1300 square feet minimum per

 2 families or 650 square feet

 per living space unit.
 - c. 2-story single-family dwelling 1240 square feet minimum

 per living space unit.
 - d. 2-story 2-family dwelling 1200 square feet minimum per
 2 families or 650 square feet
 per living space unit.
 - e. 3-story 3-family dwelling 2100 square feet minimum per

 3 families or 700 square feet

 per living space unit.
- 13.8 Mendatory Off-Street Parking: Each dwelling shall provide a minimum of 1 parking space per living space unit. Farking space and/or driveway shall have a destless surface, graded and drained as part of storm sawer system for lot; the parking space and/or driveway shall not be closer than 2 linear feet from any lot or street line and the entrance to and from said premises shall create no traffic hazard.
- 13.9 Permitted Uses for Signe: None.

3. APARTMENT ZONE (A-1)

- 14.1 Permitted Principal Uses: Apartments, Row or Group Houses, or Garden Apartments ONLY.
- 13.2 Special Permitted Uses: Places of Worship, Parsonages or Rectories and Dormatories. All regulations and restrictions of Commercial Zone 3 shall apply for Places of Worship and Dormatories.
- 14.3 Required Lot Area: The minimum lot area per apartment, rew or group house or garden 40,000 apartment developments shall be 120,000 square feet and the minimum frontage shall be 1100 linear feet and all structures in an apartment zens used for residential purposes shall be served by both water and sewer.
- 14.4 Building Height Limit: No building or structure shall exceed 10 stories in height and all buildings and structures shall be constructed in accordance with the City of Middletown Building Code.
- Mandatory Open Spaces: Each corner let shall consist of two front yards, two side yards and one rear yard; each corner through let shall consist of three front yards and one side yard; each interior let shall consist of one front yard, two side yards and one rear yard; each interior through let shall consist of two front yards and two side yards and the following widths and depths shall regulate:
 - a. Each front yard depth 30 linear feet minimum.
 - b. Each side yard width 50 linear feet minimm.
 - c. Rear yard depth 50 linear feet minimum.
 - d. The distance between buildings or parts thereof, such as wings, inner and outer courts, the minimum shall be 40 linear feet for buildings of 4 stories or less and an additional 10 linear feet shall be added for each story over 4, until the distance totals 80 linear feet (8-story building).

- 14.6 Percentage of Lot Coverage: All principal and accessory buildings or structures shall not exceed the following maximum percent of lot coverage:
 - a. Corner Lot 20% maximus.
 - to Interior Lot 20% mainum.
 - e. An additional 5% of lot coverage shall be permitted for buildings of 3 stories or less.
 - d. Unutilized land areas within a development are prohibited to all other uses, except parks, landscaped playgrounds or other recreational facilities.
- 14.7 Required Living Space: Each apartment within an apartment building shall have the following minimum square feet of living space:
 - a. 1-bedroom aportments 450 sq. ft. minimum per living space unit.
 - b. 2-bedroom apartments 700 sq. ft. minimum per living space unit.
 - c. 3-bedroom apartments 900 sq. ft. minimum per living space unit.
 - d. 4-bedroom apartments 1100 sq. ft. minimum per living space unit.
 - 6. 5-bedroom apartments 1300 sq. ft. minimum per living space unit.
- 14.8 Mandatory Off-Street Parking: Each apartment building, row or group house shall provide a minimum of 4 parking spaces per every 5 living space units.

 And the following restrictions shall regulate:
 - a. Each parking space shall have a minimum gross area of 340 square feet for single land parking or 250 square feet for two or more lands of parking.
 - b. Each parking lot shall have a stabilized dustless surface, graded and drained as part of storm sewerage plan for lot and each parking lot shall be aesthetically landscaped when bordering another zone, lot, street, or town line.
 - e. No exit nor entrace to a parking lot shall be nearer than 50 linear feet to a street intersection.

14.8 d. No entrance for exit to a parking lot shall be rearer than 20 linear feet to a lot line.

- o. No parking space shall be mearer than 6 linear feet to a lot line.
- f. No parking space shall be rearer than 20 linear feet to a building or structure.
- 14.9 <u>Permitted Uses for Sims:</u> For each apartment building or development a sign identifying the building or development shall be permitted. Said sign shall not exceed 15 square feet in size and it shall not overhang any street or sidewalk.

15. COMMERCIAL USES

A, PERSONAL SERVICE ESTABLISHENTS, such as:

Bakery Stores
Barber Shops
Beauty Parlors
Confectionary Stores
Dairy Products Stores
Drug Stores
Dry Cleaning Establishments
(without cleaning & dying
facilities)

Florist Shops
Gasoline Stations (light repairs only)
Hand Laundries
Hat Repair Shops
Ice Gream Stores
Laundromats
Shoe Repair Shops
Telegraph Service Office
Tobacce Stores

B. PROFESSIONAL OFFICES, such as:

Architects Offices Dentists Offices Engineers Offices Medical Centers Physicians Offices Lawyers Offices

C. SERVICE LETABLISHEENTS, such as:

Ambulance Services
Automobile Driving Schools
Automobile Rental Establishments
Boat Rentals
Corrercial Parking Garages
Commercial Parking Lots
Clothing Rental Establishments
Dressmaking Shops (custom)
Fishing Equipment Rental
Funeral Homes
Health Centers
Hospitals

Institutions for Children and Aged Masseurs Pawn Shops Philanthropic Institutions Photostating Establishments Radio-Television Repair Shops Reducing Salons Sanitariums Steam Baths Tailor Shops Undertakers

D. OFFICES, such as:

Banks
Branch Offices of Banks
Business Offices

Drive-In Banks Loan Offices

E. LATING, DRINKING OR ENTERTALLIENT LETABLICHMENTS, such as:

Bars
Cafes
Cocktail Lounges
Coffeehouses
Diners
Grills
Ice Cream Shops
Inns

Night clubs
Refreshment Stands
Restaurants
Sandwich Bars
S'ow Bars
Sidewalk Cafes
Taverns
Tea Rooms

F. LIGHT RETAIL ESTABLISHMENTS, such as:

Antique Stores Art Galleries (Commercial) Artist Supply Stores Art Metal Craft Stores Awning Shops Automobile Supply Stores (no installation or repair) Book Stores Business Machine Stores Clothing Stores Coin Stores Delicatesson Stores Dry Goods Stores Fish Stores Fishing Equipment Sales Food Stores (1000 sq. ft. or less) Furrier Shops (Custom)

Pet Shops
Photographic Supply Stores
Paint Supply Stores
Picture Framing Shops
Radio-Television Stores
Record Stores
Sewing Machine Stores

G. Heavy Retail Establishments, such as:

Automobile Showrooms (New Cars)
Boat Showrooms
Building Material Showrooms
Department Stores
Floor Covering Stores
Food Stores (1000 sq.ft. or more)
Furniture Stores

H. SALES AND SERVICE ESTABLISHMENTS, such ac:

Automotive Supply Stores (Installation & Repair) Blueprinting Establishments Boat Fuel Service Business Machine Repair Shops Catering Establishments

Garden Supply Stores General Stores Gift Shope Grocery Stores Hat Shops Household Appliance Stores Interior Decorating Shops Jewelry Shops Leather Goods Stores Locksmith Shopa Meat Markets Medical Appliance Stores Millinery Shops Music Stores Optician Establishments Optometrist Establishments Package Stores

Shoe Stores
Sporting Goods Stores
Stamp Stores
Stationery Stores
Toy Stores
Travel Bureaus
Variety Stores
Watch Stores

Hardware Stores
Paint Stores
Shopping Centers
Supermarkets
Truck & Tractor Showrooms (New)
Wallpaper Stores

Instrument Repair Shops Radio-Television Sales and Repair Shops Sign Painting Shops Taxidermist Shops Upholstering Shops

I, PLACES OF ASSEMBLY, such as:

Art Galleries Auction Rooms Banquet Halls Billiard Parlors Bowling Alleys Clubs Community Centers Dance Halls Dormatories Gyzmasiums Hotels Librarias Marinas Meeting Halls Miniature Colf Courses Motels

Motion Picture Theaters
Museums
Penny Arcades
Pool Halls
Private Colleges
Private Schools
Private Universities
Radio-Television Studios
Recreation Centers
Roadside Inns
Skating Rinks
Studios
Swimming Pools
Theaters
Tourist Cabins

J. THOLESALE OR WAREHOUSING ESTABLISHMENTS, such as:

Animal Hospitals
Automobile Dealers (New & Used)
Automobile Laumiries
Boat Dealers
Boat Storage
Building Material Dealers
Coal Yards
Construction Companies
Freight Yards
Fuel Storage Yards
Furniture Storage
Greenhouses
Henry Machinery Dealers

Ice Sales
Lumber Retail Dealers
Monument Dealers
Motorcycle Dealers
Moving Companies
Nurseries
Oil Dealers
Plumbing & Heating Retail
Trade Schools (Private)
Trailer Dealers
Truck Dealers
Truck Gardens
Truck & Tractor Dealers
(New & Used)

K. COMERCIAL DIDUSTRIAL ESTABLISHENTS, such as &

Automobile Body Repair Shops
Building Material Repair Shops
Boat Repair Shops
Carpet Cleaning Establishments
Dry Cleaning Establishments
(with cleaning & dying
facilities)
Glass Cutting Shops
Heavy Machinery Repair Shops

Household Equipment Repairs
Laundries
Newspaper Publishing Establishments
Office Machinery Repairs
Packing & Crating Establishments
Printing Establishments
Sales - Light Industrial Operations

L. RESEARCH LABORATORIES

16. APARTMENT-CONTERCIAL ZONE (AC-1)

- 16.1 <u>Permitted Principal Uses:</u> Apartments, Light and Medium Commercial uses, but commercial uses ONLY, such as (see Cormercial Uses, Section 14):
 - a. Personal Service Establishments
 - b. Professional Offices
 - c. Service Establishments
 - d. Offices, but only Branch Offices of Banks
 - e. Eating, Drinking or Emtertainment Establishments, but not Diners, Nightclubs, Refreshment Stands or Taverns
 - f. Light Retail Establishments
 - g. Places of Assembly, but only Art Galeries, Clubs,

 Dormatories, Hotels, Libraries, Moving Picture Theatres
 and Museums.
- 16.2 <u>Special Permitted Uses:</u> Places of Worship, Parsonages or Rectories.

 All regulations and restrictions of Commercial Zone 3 shall apply for Places of Worship.
- 16.3 Required Lot Area: The minimum lot area per apartment—60,000 commercial developments shall be 120,000 equare feet and the minimum frontage shall be 300 linear feet and all structures in an apartment—commercial zone used for residential purposes shall be served by both water and sewer.
- 16.4 Building Height Limit: No building or structure used for residential purposes shall exceed 10 stories in height, a building or structure used for commercial purposes shall not exceed 2 stories in height and all buildings and structures shall be constructed in accordance with the City of Middletown Building Cede.

16.5

1, (

- Mandatory Open Spaces: Each corner lot shall consist of two front yards, two side yards and one rear yard; each corner through let shall consist of three front yards and one side yard; each interior lot shall consist of one front yard, two side yards and one rear yard; each interior through lot shall consist of two front yards and two side yards and the following widths and depths shall regulate:
 - a. Each front yard depth 40
 building or structure. None for cormercial building or structure.
 - b. Each side yard width 50 linear feet rinimum for both residential and commercial buildings or structures.
 - c. Rear yard depth 50 linear feet minimum for both residential and commercial buildings or structures.
 - d. The distance between buildings or parts thereof, such as wings, inner and outer courts, the minimum shall be 40 linear feet for buildings of 4 stories or less, and an additional 10 linear feet shall be added for each story over 4, until the distance totals 80 linear feet (8-story building).
- 16.6 <u>Percentage of Lot Coverage</u>: All principal and accessory buildings or structures shall not exceed the following maximum percent of lot coverage:
 - a. Corner lot 20% maximum for convercial construction.
 - 15% maximum for residential construction,
 - b. Interior lot- 15% maximum for commercial construction.
 - 15% maximum for residential construction.
 - c. Unutilized land areas within a development are probibited to all other uses, except parks, landscaped playgrounds or other recreational facilities.

- 16.7 Required Living Space: Each apartment within an apartment building shall have the following minimum square feet of living space:
 - a. 1-bedress apertments 450 sq.ft. minimum per living space unit.
 - b. 2-bedroom apartments 700 sq.ft. minimum per living space unit.
 - o. 3-bedroom apartments 900 sq.ft. minimum per living space whit.
 - d. 4-bedroom apartments- 1100 sq.ft. minimum per living space unit.
 - e. 5-bedroom apartments- 1300 eq.ft. minisum per living space mit.

16.8 Kandatory Off-Street Parking:

Residential Uses - Each apartment building shall provide a minimum of 4 parking spaces per every 5 living space units.

Commercial Uses - Each commercial building shall provide the

following minimum number of parking spaces:

- a. 1 Parking space per 300 square feet of building

 space Personal Service Establishments; Service

 Establishments, but not Ambulance Services; Auto
 mobile Driving Schools; Automobile Sental Establishments;

 Commercial Parking Carages or Lots; Hospitals; Institutions;

 tions for Children or Aged; Philanthropic Institutions;

 and Sanitariums and Light Setablishments.
- b. 1 parking space per 3 of rated capacity Eating,
 Drinking or Entertainment Establishments.
- c. 1 parking space per 500 square feet of building
 space Prefessional Offices, Offices, Art Galleries,
 Libraries and Museums,
- d. 1 parking space per 4 beds or 500 square feet of building space, whichever will require a larger number of parking spaces - Hespitals, Institutions for Children or Aged, Philanthropic Institutions, Sanitariums, Dorsatories.

- e. 1 parking space per 5 of rated capacity places of Assembly, but not Art Galleries, Dormatories, Libraries, and Museums.
- f. 1 parking space per 3 employees Arbulance Sarvices, Automobile Driving Schools, Automobile Rental Establishments, Commercial Parking Garages or Lets.

AND the following restrictions shall regulate:

- a. Each parking space stall have a minimum gross area of 340 square feet for single lane parking or 250 square feet for two or more lanes of parking.
- b. Each parking lot shall have a stabilized dustless surface, graded and drained as part of storm sewerage plan for lot and each parking lot shall be aesthetically landscaped when bordering another zons, let, street, or tewn line.
- c. No entrance or exit to a parking lot shall be nearer than 50 linear feet to a street intersection.
- d. No entrance or exit to a parking lot shall be nearer than 20 linear feet to a lot line.
- e. No parking space shall be nearer than 6 linear feet to a lot line.
- f. No parking space shall be nearer than 20 linear feet to a building or structure.

- Mandatory Off-Street Loading and Unloading Facilities: All correctal uses dependent of incoming and/or outgoing rerchandise shall provide adequate loading and unloading berths entirely within its property area and the following restrictions shall regulate:
 - a. Each berth shall have a minimum gross area of 400 square feet,
 - b. No entrance or exit to a loading and unloading area shall be nearer than 50 linear feet to a street intersection.
 - c. No entrance or exit to a loading and unloading area shall be nearer than 20 linear feet to a lot line.
- 16.10 Permitted Uses for Signs: Residential Uses For each apartment building or development a sign identifying the building or development shall be permitted and the following restrictions shall regulate:
 - a. No sign shall exceed 15 square feet in size.
 - b. No sign shall overhang a street or Figlway.
 - c. No sign shall be affixed on the roof of a building,

Cormercial Uses - Signs identifying an individual business firm or the advertisement of its products still be permitted and the following restrictions shall regulate:

- a. No sign nor the aggregate square footage of the total number of signs of an individual business unit shall exceed 10% of the total square footage of an individual business unit's facace on which such sign is painted or affixed.
- b. No canopy or marquee shall project more than ? linear feet,

16.10 Commercial Uses:

- e. No canopy or marquee shall be nearer than 2 linear feet from a travelled street or highway.
- d. Each canopy or marques shall have a minimum clearance of 10 linear feet.
- e. No sign shall overhang a street or highway.
- f. No sign shall be affixed on the roof of a building.

17. COMMERCIAL ZONE 1 (C-1)

- 17.1 <u>Permitted Principal Uses</u>: Neighborhood Commercial uses, but commercial uses ONLY, such as: (See Commercial Uses, Section 14)
 - a. Personal Service Establishments,
 - b. Professional Offices, but only Dentists and Physicians.
 - c. Eating, Drinking or Entertainment Establishments, but only Coffee Houses and Tea Rosss.
 - d. Light Retail Establishments, but only Antique Stores, Delicatessen Stores, Gift Shops, Jewelry Shops and Package Stores,
- 17.2 <u>Special Permitted Uses:</u> Places of Worship, Parsonage or Rectory. All regulations and restrictions of Commercial Zone 3 shall apply for Places of Worship.
- 17.3 Required Lot Area: The minimum lot area per commercial developments shall be 35,000 square feet and the minimum frontage shall be 140 linear feet.

- 14.4 <u>Building Height Limit</u>: No building or etructure shall exceed 2 stories in height.
- M.5 Mandatory Open Spaces: Each corner lot shall consist of two front yards, two side yards and one rear yard; each corner through lot shall consist of three front yards and one side yard; each interior let shall consist of one front yard, two side yards and one rear yard; each interior through lot shall consist of two front yards and two side yards and the fellowing widths and depths shall regulate:
 - a. Each front yard depth Frent yard of bordering zone.
 - b. Each side yard width 30 linear feet minimum or 50 linear feet minimum when bordering a residential zene.
 - c. Rear yard depth 30 linear feet minimum er 50 linear feet minimum when bordering a residential zone.
 - d. The distance between buildings or parts thereof, such as wings, inner and outer courts, shall be 40 linear feet.
- 17.6 <u>Percentage of Let Coverage</u>: All principal and accessory buildings er structures shall not exceed the following maximum percent of let coverage:
 - a. Corner lot 20% maximum.
 - b. Interior let 15% maxisum.
 - c. Unutilized land areas within a development are prohibited to all ether uses, except parks, landscaped playgrounds or other recreational facilities.

- 17.7 Mandatory Off-Street Parking: Each consercial building shall provide the following minimum number of parking spaces:
 - a. 1 parking space per 300 square feet of building space: Personal Service Establishments; and Light Retail Establishments.
 - b. 1 parking space per 3 of rated capacity: Eating, Drinking or Entertainment Establishments.
 - c. 1 parking space per 500 square feet of building space: Professional Offices.

And the following restructions shall regulate:

- a. Each parking space shall have a minimum gross area of 340 square feet for single lane parking or 250 square feet for two or more lanes of parking.
- b. Each parking lot shall have a stabilized dustless surface, graded and drained as part of storm sewerage plan for lot and each parking lot shall be aesthetically landscaped when bordering another zone, a lot, street or town line.
- c. No entrance or exit to a parking lot shall be nearer than 50 linear feet to a street intersection.
- d. No entrance or exit to a parking lot shall be nearer than 20 linear feet to a let line.
- e. No parking space shall be nearer than 6 linear feet to a lot line.
- f. No parking space shall be nearer than 20 linear feet to a building or structure.

- 17.8 Mandatory Off-Strest Loading and Unloading Facilities: None
- 17.9 <u>Permitted Uses for Signs:</u> Signs identifying an individual business firs or the advertisement of its products shall be permitted and the following restrictions shall regulate:
 - a. No sign shall exceed 30 square feet in size.
 - b. No sign shall everlang a street or highway,
 - e. No sign shall be affixed on the roof of a building.

18. COMPERCIAL ZONE 2 (C=2)

- 18.1 Permitted Principal Uses: Light Commercial uses, but commercial uses
 ONLY, such as: (See Commercial Uses Section 14)
 - a. Personal Service Establishments, but only Gasoline Stations (light repair only) and Telegraph Offices.
 - b. Eating, Drinking and Entertainment Establishments, but only Cocktail Lounges, Night Clubs, Restaurants and Show Bars.
 - c. Places of Assembly, but only Motels, Roadside Inns, and Tourist Cabins, and Miniature Golf Courses,
- 18.2 Special Permitted Uses: Golf Courses, Golf Driving Ranges. For Golf Courses or Golf Driving Ranges see Section 29, Paragraph 11.
- 18.3 Required Lot Area: The minimum lot area per commercial developments shall 40,000 square feet and the minimum frontage shall be 150 linear feet.
- 18.4 Building Height Limit: No building or structure shall exceed 1 1/2 stories in height.

- Mandatery Open Spaces: Each corner lot shall consist of two front yards, two side yards and one rear yard; each corner through let shall consist of three front yards and one side yard; each interior let shall consist of one front yard, two side yards and one rear yard; each interior through lot shall consist of two front yards and two side yards and the following widths and depths shall regulate:
 - a. Each front yard depth Front yard of bordering zone.
 - b. Each side yard width 30 linear feet minimum & 50 linear feet minimum when bordering a residential zone.
 - c. Rear yard depth 30 linear feet minimum or 50 linear feet when berdering a residential zone.
 - d. The distance between buildings or parts thereof, such as wings, inner and outer courts, shall be 40 linear feet.
- 18.6 Percentage of Let Coverage: All principal and accessory buildings or structures shall not exceed the following maximum percent of let coverage:
 - a. Corner let 25% maximum.
 - b. Interior let 20% maximum.
 - c. Unutilized land areas with a development are prohibited to all other uses, except parks, landscaped playgrounds or other recreational facilities.
- 19.7 <u>Mandatory Off-Street Parking:</u> Each commercial building shall provide the following number of parking spaces:
 - a. 1 parking space per 300 square feet of building space: Personal Service Establishments.

18.7 Mandatory Off-Street Parking (Continued):

- b. 1 parking space per 1 room er suite: Motels, Roadeide Inne and Teurist Cabina.
- c. 1 parking space per 3 of rated capacity: Eating, Drinking or Extertainment Establishments.
- d. I parking space per 3 of rated capacity: Places of Assembly, but not Motels, Roadside Inns or Tourist Cabins.

And the following restrictions shall regulate:

- 1. Each parking space shall have a minimum gross area of 340 square feet for single lane parking or 250 square feet for two or more lanes of parking.
- b. Each parking lot shall have a stabilized dustless surface, graded and drained as part of storm sewerage plan for lot and each parking let shall be aesthetically landscaped when berdering another zone, a let, street or town line.
- c. No entrance or exit to a parking lot shall be nearer than 50 linear feet to a street intersection.
- d. No entrance or exit to a parking lot shall be rearer than 20 linear feet to a lot line.
- e. No parking space shall be nearer than 6 linear feet to a lot line.
- f. We parking space shall be nearer than 20 linear feet to a building or structure.

- 18.8 Mandatory Off-Street Loading and Unloading Facilities: None
- 78.9 Permitted Uses for Signs: Signs identifying an individual business firm or the advertisement of its products shall be permitted and the following restrictions shall regulate:
 - a. No sign nor the aggregate square footage of the total number of signs of an individual business unit shall exceed 10% of the total square footage of an individual business unit's facade, whether such sign is painted or affixed on its facade, a separate structure or mounted on a roof.
 - b. No sign, including a canopy or marquee, shall project more than 8 linear feet.
 - c. No sign, including a canopy or marquee, shall be nearer than 2 linear feet from a trivelled street or highway.
 - d. Each sign, including a conopy or rarquee, shall have a minimum clearance of 10 linear feet.

18. COMMERCIAL ZONE 3 (C-3)

- Permitted Principal Uses: Medium Commercial uses, but commercial uses
 ONLY, such as: (See Commercial Uses Section 14)
 - a. Personal Service Establishments, but only Drug Stores, Gasoline Stations (light repair only) and Telegraph Offices.
 - b. Offices, but only Branch Offices of Banks and Drive-in Banks.
 - e. Eating, Drinking or Entertainment Establishments, but only Coffee Houses, Ice Cream Bars, Samiwich Bars and Tea Rooms,

19.1 Permitted Principal Uses (Continued):

- d. Heavy Retail Establishments, but only Stopping Centers and Supermarkets.
- e. Places of Assembly, but only Bowling Alleys,
- 14.2 Special Permitted Uses: Places of Worstip, Parsonage or Rectory.
- 19.3 Required Lot Area: The minimum lot area per commercial developments shall be 80,000 square feet and the minimum frontage shall be 200 linear feet.
- 19.4 <u>Building Height Limit</u>: No building or structure shell exceed 3 stories in height.
- 17.5 Mandatory Open Spaces: Each corner lot shall consist of two front yards, two side yards and one rear yard; each corner through lot shall consist of three front yards and one side yard; each interior lot shall consist of one front yard, two side yards and one rear yard; each interior through let shall consist of two front yards and two side yards and the following widths and depths shall regulate:
 - a. Each front yard depth 50 linear feet minimum.
 - b. Each side yard width 50 linear feet minimum.
 - c, Rear yard depth 50 linear feet minimum.
 - d. The distance between buildings or parts thereof, such as wings, inner and outer courts, shall be 40 linear feet.
- 19.6 Percentage of Lot Coverage: All principal and accessory buildings or structures shall not exceed the following maximum percent of let coverage:
 - a. Corner let 25% maximum.
 - b. Interior lot 20% maximum.

18.6 Percentage of Let Coverage (Continued):

- c. Unutilized land areas within a development are prohibited to all ether uses, except parks, landscaped playgrounds or other recreational facilities.
- 19.7 Mandatory Off-Street Parking: Each connercial building shall provide the fellowing minimum number of parking spaces:
 - a. 1 parking space for 150 square feet of building space: Heavy
 Retail Establishments.
 - b. I purking space per 300 square feet of building space: Personal Service Establishments.
 - c. I parking space per 3 of rated capacity: Eating, Drinking er Entertainment Establishments.
 - d. 1 parking space per 500 square feet of building space: Offices,
 - e. I parking space per 5 of rated capacity: Places of Assembly.

And the fellowing restrictions shall regulates

- a. Each parking space shall have a minimum gross area of 340 square feet for single lane parking or 250 square feet for two or more lanes of parking.
- b. Each parking lot shall have a stabilized dustless surface, graded and drained as part of storm sewerage plan for lot and each parking let shall be sesthetically landscaped when bordering another zone, a let, street or text line.
- c. No entrance or exit to a parking lot shall be nearer than 50 linear feet to a street intersection.

19.7 Kanditory Off-Street Parking (Continued):

- d. No entrance or exit to a parking lot shall be nearer than 20 linear feet to a lot line.
- e. No parking space shall be nearer than 6 linear feet to a lot line,
- f. No parking space shall be nearer than 20 linear feet to a building or structure.
- 19.8 Mandatory Off-Street Loading and Unloading Facilities: All commercial uses dependent of incoming and/or outgoing merchandise shall provide adequate loading and unloading berths entirely within its property area and the following restrictions shall regulate:
 - a. Each berth shall have a minimum gross area of 400 square feet,
 - b. No entrance or exit to a loading and unloading area shall be nearer than 50 linear feet to a street intersection.
 - c. No entrance or exit to a loading and unloading area shall be nearer than 20 linear feet to a lot line.
- 14.9 Permitted Uses for Signs: Signs identifying an individual business firm or the advertisement of its products shall be permitted and the following restrictions shall regulate:
 - a. No sign nor the aggregate square footage of the total number of signs of an individual business unit shall exceed 10% of the total square footage of an individual business unit's facade or 200 square feet, whichever the lesser figure, whether such sign is painted or affixed on its facade, a separate structure or mounted on a roof.

19.9 Permitted Uses for Signe (Continued):

- No sign, including a camony or marques, shall project more than
 8 linear feet,
- c. No sign, including a canopy or marquee, shall overhang a street er highway.
- d. Each sign, including a campy or marquee, shall have a minimum clearance of 10 linear feet.

20. COMMERCIAL ZONE 4 (C-4)

- 20.1 Permitted Principal Uses: Downtown Commercial uses, but commercial uses ONLY, such as: (See Commercial Uses Section 14)
 - a. Personal Service Establishments.
 - b. Professional Offices.
 - c. Service Establishments.
 - d. Offices.
 - e. Eating, Drinking and Entertainment Establishments.
 - f. Light Retail Establishments.
 - g. Heavy Retail Establishments.
 - h. Sales and Service Establishments, but only Automotive Supply Stores, Blueprinting Establishments, Business Machine Repair Shops, Instrument Repair Shops and Radio-Televisien Sales and Repair Shops.

20.1 Permitted Principal Uses (Continued):

- i. Places of Assembly, but only Art Galleries, Auction Rooms, Auditoriums, Banquet Halls, Clubs, Community Centers, Dance Halls, Expositions, Gymnasiums, Hotels, Libraries, Meeting Halls, Motion Picture Theaters, Museums, Passenger Terminals, Radio-Television Studios, Studios and Theaters.
- 26.2 <u>Special Permitted Uses:</u> Places of Worship, Parsonage or Rectory. All regulations and restrictions of Commercial Zone 3 shall apply for Places of Worship.
- 29.3 Required Lot Area: The minimum lot area per commercial development shall be 60,000 square feet and the minimum frontage shall be 200 linear feet.
- 29.4 Building Height Limit: The building height stall be unlimited, except when otherwise restricted by either the City of Middletown Building Code or the City of Middletown Planning Commission's Comprehensive Plan for Downtown Urban Renewal.
- Mandatory Open Spaces: Each corner lot shall consist of two front yards, two side yards and one rear yard; each corner through lot shall consist of three front yards and one side yard; each interior lot shall consist of one front yard, two side yards and one rear yard; each interior through lot shall consist of two front yards and two side yards and the following widths and depths shall regulate:
 - a, Each front yard depth None.
 - b. Each side yard width 30 linear feet minimum on one side ONLY.
 - c. Rear yard depth 50 linear feet minimum, or the side yard width for corner lots only.

24.5 Mandatory Open Spaces (Continued):

- d. The distance between buildings or parts thereof, such as wings, inner and outer courts, the minimum shall be 40 linear feet for buildings of 4 stories or less, and an additional 10 linear feet shall be added for each story over 4, until the distance totals 80 linear feet (8-story building).
- 20.6 Percentage of Lot Coverage: All principal and accessory buildings er structures shall not exceed the following maximum percent of lot coverage:
 - a. Corner lot > 35% maximum.
 - b. Interior let 30% maxima,
 - c. Unutilized land areas within a development are prohibited to all other uses, except parks, landscaped playgrounds or other recereational facilities.
- 20.7 <u>Mandatory Off-Street Parking</u>: Each commercial building shall provide a minimum of 1 square foot of parking space for each 1 square foot of building space and the following restrictions shall regulate:
 - a. Each parking space shall have a minimum gross area of 340 square feet for single lans parking or 250 square feet for two or more lanes of parking.
 - b. Each parking lot shall have a stabilized dustless surface, graded and drained as part of storm sewerage plan for lot and each parking let shall be aesthetically landscaped when bordering another zone, a let, street or town line.
 - c. No entrance or exit to a parking lot shall be nearer than 50 linear feet to a street intersection.

29.7 Mandatory Off-Street Parking (Continued):

- d. No entrance or exit to a parking lot shall be nearer than 20 linear feet to a lot line.
- e. No parking space shall be nearer than 6 linear feet to a lot line.
- f. No parking space shall be nearer than 20 linear feet to a building or structure.
- Mandatory Off-Street Loading and Unloading Facilities: All commercial uses dependent of incoming and/or outgoing merchandise shall provide adequate loading and unloading berths entirely within its property area and the following restrictions shall regulate:
 - a. Each berth stall have a minimum gross area of 400 square feet.
 - b. No entrance or exit to a loading and unloading area shall be nearer than 50 linear feet to a street intersection.
 - c. No entrance or exit to a loading and unloading area shall be nearer than 20 linear feet to a lot line.
- 20.9 <u>Permitted Uses for Signs</u>: Signs identifying an individual business firm or the advertisement of its products shall be permitted and the following restrictions shall regulate:
 - a. No sign nor the aggregate square footage of the total number of signs of an individual business unit shall exceed 10% of the total square footage of an individual business unit's facade or 200 square feet, whichever the lesser figure, whether such sign is jainted or affixed on its facade or rounted on a roof.

20.9 Permitted Uses for Signs (Continued):

- b. No sign, including a canopy or rarquee, shall project more than 8 linear feet.
- e. No sign, including a canopy or marquee, shall be nearer than 2 linear feet from a travelled street or highway.
- d. Each sign, including a canopy or marquee, shall have a minimum clearance of 10 linear feet.

20. COMMERCIAL ZONE 5 (C-5)

- 20.1 Permitted Principal Uses: Commercial uses, but commercial uses ONLY, such as: (See Commercial Uses Section 14)
 - a. Personal Service Establishments.
 - b. Professional Offices,
 - c. Service Establishments.
 - d. Offices, but only Brive-in Banks.
 - e. Eating, Drinking or Entertainment Establishments, but not Nightclubs, Show Bars and Sidewalk Cafes.
 - f. Light Retail Establishments.
 - g. Sales and Service Establishments.
 - h. Places of Assembly, but not Art Galleries, Hotels, Museums, Roadside Inns, Theaters or Tourist Cabins,

- 24.2 <u>Special Permitted Uses</u>: Places of Worship, Parsonage or Rectory. All regulations and restrictions of Commercial Zone 3 shall apply for Places of Worship.
- 20.3 Required Lot Area: The minimum lot area per commercial developments shall be 15,000 square feet and the minimum frontage shall be 100 linear feet.
- 24.4 Building Height Limit: The building height shall be unlimited, except when otherwise restricted by the City of Middletown Building Code.
- 20.5 Mandatory Open Spaces: Each corner let shall consist of two front yards, two side yards and one rear yard; each corner through let shall consist of three front yards and one side yard; each interior let shall consist of one front yard, two side yards and one rear yard; each interior through let shall consist of two front yards and two side yards and the following widths and deaths shall regulate:
 - a. Each front yard depth 20 linear feet minimum.
 - b. Each side yard width 30 linear feet minimum on one side ONLY.
 - c. Rear yard depth 30 linear feet minimum.
 - d. The distance between buildings or parts thereof, such as wings, inner and outer courts, the minimum shall be 40 linear feet for buildings of 4 stories or less, and an additional 10 linear feet shall be added for each story over 4, until the distance totals 80 linear feet (2-story building).
- 24.6 Percentage of Lot Coverage: All principal and accessory buildings or structures shall not exceed the following maximum percent of lot coverage:

20.6 Percentage of Lot Coverage (Continued):

- a. Corner lot 30% maximum,
- b. Interior let 25% maximum.
- c. Unutilized land areas within a development are prohibited to all other uses, except parks, landscaped playgrounds or other recreational facilities.
- 20.7 <u>Mandatory Off-Street Parking</u>: Each commercial building shall provide the following minimum number of parking spaces:
 - a. 1 parking space per 40 square feet of building space: Refreshment Stands.
 - b. I parking space per 300 square feet of building space: Personal Service Establishments; Service Establishments, but not Ambulance Services, Automobile Driving Schools, Automobile Rental Establishments, Commercial Parking Garages or Lots, Hospitals, Institutions for Children or Aged, Philanthropic Institutions and Sanitariums; and Light Retail Establishments.
 - c. 1 parking space per 3 of rated capacity: Eating, Drinking and Entertainment Establishments, but not Refreshment Stands.
 - d. 1 parking space per 500 square feet of building space: Professional Offices; Offices; Auction Rooms and Libraries.
 - e. I parking space per 4 beds or 500 square feet of building space,
 whichever will require a larger number of parking spaces:
 Hospitals, Institutions for Children or Aged, Philanthropis
 Institutions and Sanitariums; and Dormatories.

2%7 Mandatory Off-Street Parking (Continued):

- f. I parking space per 2 boat berths: Marinas
- g. I parking space per 5 of rated capacity: Places of Assembly, but not Auction Rooms, Dormatories, Libraries and Marinas.
- h. 1 parking space per 3 employees: Ambulance Services, Automobile
 Driving Schools, Automobile Rental Establishments, Commercial
 Parking Garages or Lots; Sales and Service Establishments.

And the following restrictions shall regulate:

- a. Each parking space shall have a minimum gross area of 340 square feet for single lens parking or 250 square feet for two or more lanes of parking.
- b. Each parking lot shall have a stabilized dustless surface, graded and drained as part of storm sewerage plan for lot and each parking lot shall be aesthetically landscaped when bordering another zone, a lot, street or town line.
- c. No entrance or exit to a parking lot shall be nearer than 50 linear feet to a street intersection.
- d. No entrance or exit to a parking lot shall be nearer than 20 linear feet to a lot line.
- e. No parking space shall be nearer than 6 linear feet to a lot line,
- f. No parking space shall be nearer than 20 linear feet to a building or structure.

Manditory Off-Street Loading and Unloading Facilities: All cormercial uses dependent of incoming and/or outgoing merchandise shall provide adequate loading and unloading berths entirely within its property area and the following restrictions shall regulate:

- a. Each berth shall have a minimum gross area of 400 square feet.
- b. We entrance or exit to a leading and unloading area shall be nearer than 50 linear feet to a street intersection.
- c. No entrance or exit to a loading and unloading area shall be nearer than 20 linear feet to a lot line.
- 20.9 Persitted Uses for Signs: Signs identifying an individual business firm or the advertisement of its products shall be permitted and the following restrictions shall regulate:
 - a. No sign nor the aggregate square footage of the total number of signs of an individual business unit shall exceed 10% of the total square footage of an individual business unit's facade or 100 square feet, whichever the lesser figure, whether such sign is painted or affixed on its facade, a separate structure or mounted on a roof.
 - b. No sign, including a canopy or marques, shall project more than a linear feet.
 - c. No sign, including a canopy or marquee, shall be nearer than 2 linear feet from a travelled street or highway.
 - d. Each sign, including a canopy or arquee, shall have a minimum clearance of 10 linear feet.

- 22. COMPERCIAL DIDUSTRIAL ZONE 1 (CL-1)
- 22.1 Permitted Principal Uses: Research Laboratories ONLY.
- 22.2 Special Permitted Uses: Places of Worship, Parsonage or Rectory.

 All regulations and restrictions of Commercial Zone 3 shall apply for Places of Worship.
- 22.3 Required Lot Area: The minimum lot area per commercial-industrial developments shall be 80,000 square feet and the minimum frontage shall be 200 linear feet.
- 22.4 Building Height Limit: No building or structure shall exceed 3 stories in height.
- 22.5 Mandatory Oren Spaces: Each corner lot shall consist of two front yards, two side yards and one rear yard; each corner through lot shall consist of three front yards and one side yard; each interior lot shall consist of one front yard, two side yards and one rear yard; each interior through lot shall consist of two front yards and two side yards and the following widths and depths shall regulate:
 - a. Each front yard depth 50 linear feet minimum.
 - b. Each side yard width 50 linear fest minimum.
 - e. Rear yard 50 lînear feet minimum.
 - d. The distance between buildings or parts thereof, such as wings, inner and outer courts, shall be 40 linear feet.
- 2Z.6 Percentage of Lot Coverage: All principal and accessory buildings or structures shall not exceed the following maximum percent of lot coverage:

21.6 Percentage of Lot Coverage (Continued):

, (

- a. Corner lot 25% maximum.
- b. Interior lot 20% maximum.
- c. For commercial-industrial expansion an additional 5% of lot coverage is allowed.
- d. Unutilized Land areas within a development are prohibited to all other uses, except parks, landscaped playgrounds or other recreational facilities.
- 22.7 <u>Mandatory Off-Street Parking</u>: Each research laboratory shall provide a minimum of 1 parking space per 3 employees and the following restrictions shall regulate:
 - a. Each parking space shall have a minimum gross area of 340 square feet for single lane parking or 250 square feet for two or more lanes of parking.
 - b. Each parking lot shall have a stabilized dustless surface, graded and drained as part of storm sewerage plan for lot and each parking lot shall be aesthetically landscaped when bordering another zone, a lot, street or town line.
 - c. No entrance or exit to a parking lot shall be nearer than 50 linear feet to a street intersection.
 - d. No entrance or exit to a parking lot shall be nearer than 20 linear feet to a lot line.
 - e. No parking space shall be nearer than 6 linear feet to a lot line.

22.7 Mandatory Off-Street Parking (Continued):

- f. No parking space shall be nearer than 20 linear feet to a building or structure.
- 27.8 <u>Mandatory Off-Street Loading and Unloading Facilities</u>: All commercial-industrial uses dependent of incoming and/or outgoing merchandise shall provide adequate loading and unleading berths entirely within its property area and the following restrictions shall regulate:
 - a. Each berth shall have a minimum gross area of k(0) square feet,
 - b. No entrance or exit to a leading and unleading area shall be nearer than 50 linear feet to a street intersection,
 - c. No entrance or exit to a loading and unloading area shall be nearer than 20 linear feet to a lot linear
- 22.9 Permitted Uses for Signs: Signs identifying an individual business firm or the advertisement of its products shall be permitted and the following restrictions shall regulate:
 - a. No sign nor the aggregate square footage of the total number of signs of an individual business unit shall exceed 10% of the total square footage of an individual business unit's facade or 200 square feet, whichever the lesser figure, whether such sign is painted or affixed on its facade, a separate structure or mounted on a roof.
 - b. No sign, including a canopy or marquee, shall project more than 8 linear feet.
 - c. No sign, including a canopy or rarquee, shall overhang a street or highway.

27.9 Permitted Uses for Signs (Continued):

- d. No sign shall be nearer than 35 linear feet to a front lot line.
- e. Each sign, including a canopy or marquee, shall have a minimum clearance of 10 linear feet.

23. COMERCIAL INDUSTRIAL ZONE 2 (CI-2)

- 22.1 Permitted Principal Uses: Commercial and Commercial Industrial uses, but commercial and commercial industrial uses ONLY, such as:
 - a. Eating, Drinking and Entertainment Establishments, but only Diners, Grills. Refreshment Stands, Sandwich Bars and Taxons.
 - b. Sales and Service Establishments.
 - c. Wholesale or Warehousing Establishments.
 - d. Cormercial-Industrial Establishments.
- 23.2 Special Permitted Uses: Places of Worship, Parsonage or Sectory.

 All regulations and restrictions of Commercial Zone 3 shall apply for Places of Worship.
- 23.3 Required Lot Area: The rinimum lot area per commercial-industrial developments shall be 60,000 square feet and the minimum frontage shall be 200 linear feet.
- 23.4 Building Height Limit: No building or structure shall exceed 3 stories in height.
- 23.5 Mandatory Open Spaces: Each corner lot shall consist of two front yards, two side yards and one rear yard; each corner through lot shall

23.5 Mandatory Open Spaces (Continued):

consist of three front yards, and one side yard; each interior lot shall consist of one front yard, two side yards and one rear yard; each interior through lot shall consist of two front yards and two side yards and the following minimum widths and depths shall regulate:

- a. Each front yard depth 30 linear feet minimum.
- b. Each side yard width 30 linear feet minimum,
- c. Rear yard depth 30 linear feet minimum.
- d. The distance between buildings or parts thereof, such as wings, inner and outer courts, shall be 40 linear feet.
- 23.6 Percentage of Let Coverage: All principal and accessory buildings or structures shall not exceed the following maximum percent of lot coverage:
 - a. Corner lot 25% maimum.
 - b. Interior lot 20% maximum.
 - c. For open-air storage an additional 10% of lot coverage is allowed,
 - d. For commercial-industrial expansion an additional 5% of lot coverage is allowed.
 - e. Unutilized land areas within a development are prehibited to all other uses, except parks, landscaped playgrounds or other recreational facilities.
- 23.7 <u>Mandatory Off-Street Parking:</u> Each commercial-industrial building shall provide the following minimum number of parking spaces:

23.7 Mand tory Off-Street Parking (Continued):

- a. 1 parking space per 40 square feet of building space: Refreshment Stands.
- b. 1 pirking space per 3 of rated capacity: Eating, Drinking and Entertainment Establishments, but not Refreshment Stands.
- c. I pirking stace per 3 employees: Sales and Service Establishments; Wholesale or Warehousing Establishments; and Commercial-Industrial Establishments.

And the following restrictions shall regulate:

- e. Each parking space shall have a minimum gross area of 340 square feet for single lane parking or 250 square feet for two or more large of parking.
- b. Each purking lot shall have a stabilized dustless surface, graded and drained as part of storm sewerage plan for lot and each parking lot shall be aesthetically landscaped when bordering another zone, a lot, street or town line.
- c. No entrance or exit to a parking lot shall be nearer than 50 linear feet to a street intersection.
- d. No entrance or exit to a parking lot shall be nearer than 20 linear feet to a lot line.
- e. No parking space shall be nearer than 6 linear feet to a lot line.
- f. No parking space shall be nearer than 20 linear feet to a building or structure.

- 23.8 Mandatory Off-Street loading and Unloading Facilities: All connercial industrial uses dependent of incoming and/or outgoing merchandise shall provide adequate leading and unloading berths entirely within its property area and the following restrictions shall regulate:
 - a. Each berth shall have a minimum gross area of 400 equare feet.
 - b. No entrance or exit to a leading and unleading area shall be nearer than 50 linear feet to a street intersection.
 - c. No entrance or exit to a leading and unleading area shall be nearer than 20 linear feet to a lot line.
- 23.9 Permitted Vees for Signs: Signs identifying an individual business firm or the advertisement of its products shall be permitted and the following restrictions shall regulate:
 - a. No sign nor the aggregate a ware footage of the total number of signs of an individual business unit shall exceed 10% of the total sware footage of an individual business unit's facade or 150 square feet, whichever the lesser figure, whether such sign is painted or affixed on its facade, a separate structure or mounted on a roof.
 - b. No sign, including a canopy or marques shall project more than & linear feet.
 - c. Ne sign, including a canopy or marquee, shall overhang a street or highway.
 - d. No sign shall be nearer than 20 linear feet to a front lot line.
 - e. Each sign, including a canopy or marquee, shall have a minimum clearance of 10 linear feet,

29. INDUSTRIAL ZONE 1 (I-1)

q.1 Permitted Principal Uses: Industrial uses, but industrial uses ONLY, subject to the following performance standards:

All uses of land, buildings, structures or industrial processes that by reason of the production may be noxious or injurious, or emission of dust, fumes, gas, noise, edor, refuse matter, smoke, vibration or other similar substances or conditions are prohibited, provided, however, any use may be remitted if approved by the Middletown City Plan and Zoning Cormission and the Middletown Public Health Department and subject to such conditions, restrictions and safeguards as may be deemed necessary by said Boards for the purpose of protecting the health, safety, morals and general welfare of the cormunity.

- 24.2 Special Permitted Uses: Places of Worship; Parsonage & Rectory and Golf Courses, or Golf Driving Ranges. All regulations and restrictions of Commercial Zone 3 shall apply for Places of Worship. For Golf Courses or Golf Driving Ranges see Section 29, Paragraph II.
- 29.3 Required Lot Area: The minimum lot area per industrial developments etall be 10 acres and the minimum frontage shall be 200 linear feet.
- 23.4 Building Height Limit: The building beight shall be unlimited, except when otherwise restricted by the City of Middletown Building Code.
- 24.5 Mandatory Open Spaces: Each corner lot shall consist of two front yards, two side yards and one rear yard; each corner through lot shall consist of three front yards and one side yard; each interior lot shall consist of one front yard, two side yards and one rear yard; each interior

23.5 Mandatory Open Spaces (Continued):

through lot shall consist of two front yards and two side yards and the following widths and depths shall regulate:

- a. Each front yard depth 150 linear feet minimum.
- b. Each side yard width 100 linear feet minimum.
- c. Rear yard depth A linear feet minimum.
- d. The minimum front, side or rear yard widths and depths for lots bordering any other sens or a town line shall be to linear feet.
- e. The distance between buildings or parts thereof, such as wings, inner and outer courts, the minimum shall be 40 linear feet for buildings of 4 stories or less and an additional 10 linear feet between buildings shall be added for each story over 4, until the distance totals 80 linear feet (8-story building).
- 3.6 Percentage of Lot Coverage: All principal or accessory buildings or structures shall not exceed the following maximum process of lot coverage:
 - a. Corner let 265 maximum. +
 - b. Interior lot 26% maximum. +
 - % For open-air storage an additional 10% of lot coverage is allowed,
 - d. For industrial expansion an additional 10% of lot coverage is allowed.
 - e. Unutilized land areas within a development are prohibited to all other uses, except parks, landscaped playerounds or other recreational facilities.

- Mandatory Off-Street Parking: Each industrial unit operating on two or more shifts shall have a minimum of 2 parking spaces per every 3 employees on the major shift; however, if operating on just one shift, the minimum shall be 1 parking space per every 3 employees and the following restrictions shall regulate:
 - a. Each parking space shall have a minimum gross area of 340 square feet for two or more lanes of parking.
 - b. Each parking lot shall have a stabilized dustless surface, graded and drained as part of storm sewerage plan for lot and each parking let shall be aesthetically landscaped when bordering another zone, a let, street or town line.
 - c. No entrance or exit to a parking lot shall be nearer than 50 linear feet to a street intersection.
 - d. No entrance or exit to a parking lot shall be nearer than 20 linear feet to a lot line.
 - e. No parking space shall be nearer than 6 linear feet to a lot linear
 - f. No parking space shall be nearer than 20 linear feet to a building or structure.
- 24.8 Marriatory Off-Street Loading and Unloading Facilities: All industrial uses dependent of incoming and/or outgoing material shall provide adequate loading and unloading berths entirely within its property area and the following restrictions shall regulate:
 - a. Each berth stall have a minimum gross area of 400 square feet.

29.8 Mandatory Off-Street Leading and Unloading Facilities (Continued):

- b. No entrance or exit to a loading and unloading area shall be nearer than 50 linear feet to a street intersection.
- c. No entrance or exit to a leading and unloading area shall be nearer than 20 linear feet to a lot line.
- 29.9 Permitted Uses for Signs: Signs identifying an individual first or the advertisement of its products shall be primitted and the following restrictions shall regulate:
 - a. No sign nor the aggregate square footage of the total number of signs of an individual manufacturing unit shall exceed 10% of the total square footage of an individual manufacturing unit's facade or 300 square feet, whichever the lesser figure, whether such sign is painted or affixed on its facade, a separate structure or mounted on a roof.
 - No sign, including a canopy or marquee, shall project more than 8 linear feet.
 - No sign, including a canopy or rarquee, shall overhang a street or highway.
 - d. No sign shall be nearer than 100 linear feet to a front los line.
 - e. Each sign, including a canopy or marquee, shall have a minimum clearance of 10 linear feet.

25. INDUSTRIAL ZONE 2 (1-2)

25.1 Permitted Principal Uses: Industrial uses, but industrial uses ONLY, subject to the following performance standards:

25.1 Permitted Principal Uses (Continued):

All uses of land, buildings, structures or industrial processes that by reason of the production may be noxious or injurious, or emission of dust, fumes, gas, noise, odor, refuse matter, smoke, vibration or other similar substances or conditions are prohibited, provided, however, any use may be permitted if approved by the Middletown City Plan and Zoning Commission and the Middletown Public Health Department and subject to such conditions, restrictions and safeguards as may be deemed necessary by said Boards for the purpose of protecting the health, safety, morals and general welfare of the community.

- 25.2 Special Permitted Uses: Places of Worship, personage or rectory.

 All regulations and restrictions of Commercial Zone 3 shall apply for Places of Worship.
- 25.3 Required Lot Area: The minimum lot area per industrial developments shall be 30,000 square feet and the minimum frontage shall be 100 linear feet.
- 26.4 Building Height Limit: The building height shall be unlimited, except when otherwise restricted by the City of Middletown Building Code,
- Mandatory Oven Spaces: Each corner lot shall consist of two front yards, two side yards and one rear yard; each corner through lot shall consist of three front yards, and one side yard; each interior lot shall consist of one front yard, two side yards and one rear yard; each interior through lot shall consist of two front yards and two side yards and the following minimum widths and depths shall regulate:

25.5 Mandatory Open Spaces (Continued):

- a. Each front yard depth 30 linear feet minimum,
- b. Each side yard width 20 linear feet minimum.
- c. Rear yard depth 30 linear feet minimum, or the side yard width for corner lets only.
- d. The minimum front, side or rear yard widths and depths for lots bordering any other zone or a town line shall be 50 linear feet.
- inner and outer courts, the minimum shall be 40 linear feet for buildings of 4 stories or less and an additional 10 linear feet between buildings shall be added for each story over 4, until the distance totals 80 linear feet (8-story building).
- 25.6 Percentage of Lot Coverage: All principal or accessory buildings or structures shall not exceed the following maximum percent of lot coverage:
 - a. Corner lot 15% maximum.
 - b. Interior let 15% maximum.
 - c. For open-air storage an additional 10% of lot coverage is allowed.
 - d. For industrial expansion an additional 10% of lot coverage is allowed.
 - o. Unutilized land areas within a development are prohibited to all other uses, except parks, landscaped playgrounds or other recreational facilities.
- 25.7 Mandatory Off-Street Parking: Each industrial unit operating on two or more shifts shall have a minimum of 2 tarking spaces per every 3 employees on the

25.7 Mandatory Off-Street Parking (Continued):

major shift; however, if operating on just one shift, the minimum shall be learking space per every 3 employees and the following restrictions shall regulate:

- a. Each parking space shall have a minimum gross area of 340 square feet for single lane parking or 250 square feet for two or more lanes of parking.
- b. Each parking lot shall have a stabilized dustless surface, graded and drained as part of storm sewerage plan for lot and each parking lot shall be aesthetically landscaped when bordering another zone, a lot, street or town line.
- c. No entrance or exit to a parking lot shall be nearer than 50 line refeet to a street intersection.
- d. No entrance or exit to a parking lot shall be nearer than 20 linear feet to a lot line.
- e. No parking space shall be nearer than 6 linear feet to a lot line.
- f. No parking space shall be nearer than 20 linear feet to a building or structure.
- 25.8 Mandatory Off-Street Loading and Unloading Facilities: All industrial uses dependent of incoming and/or outgoing meterial shall provide adequate loading and unloading berths entirely within its property area and the following restrictions shall regulate:
 - a. Each berth shall have a minimum gross area of 400 square feet.

25.8 Mandatory Off-Street Loading and Unloading Facilities (Continued):

- b. No entrance or exit to a loading and unloading area shall be nearer than 50 linear feet to a street intersection.
- e. No entrance or exit to a loading and unloading area shall be nearer than 20 linear feet to a lot line.
- 24.9 <u>Permitted Uses for Signs</u>: Signs identifying an individual firm or the advertisement of its products shall be permitted and the following restrictions shall regulate:
 - a. No sign nor the aggregate square footage of the total number of signs of an individual manufacturing unit shall exceed 10% of the total square footage of an individual manufacturing unit's facade or 100 square feet, whichever the lesser figure, whether such sign is painted or affixed on its facade, a separate structure or mounted on a roof.
 - b. No sign, including a canopy or marquee, shall project more than8 linear feet.
 - c. No sign, including a canopy or rarquee, shall overlang a street or lighway.
 - d. No sign shall be nearer than 20 linear feet to a front lot line.
 - e. Each sign, including a canopy or marquee, shall have a minimum clearance of 10 linear feet.

26. NATURAL RESOURCE ZONE (NR-1)

26.1 For the benefit of the community certain areas in the City of Middletown

26.1 (Continued):

are zoned for the conservation of natural resources; however, the Middletown City Plan and Zoning Commission may permit the quarrying, the mining or the removal of said resources subject to the following restrictions:

- a. The petitioner shall submit to the City Plan and Zoning Commission a plan showing existing grades in area prior the removal of the resource. The plan shall provide for adequate front, side and rear yard depths and widths to control noise, dust, heavy trucking, etc., when bordering another zone, town or street line.

 Proper drainage shall be mintained throughout operation and area shall be camouflaged with trees or shrubs.
- b. The petitioner shall also submit a plan showing proposed finished grades after completion of the operation, as well as a drainage system for the entire area. Said area shall be restored to a use as designated by the City Plan and Zoning Commission at the beginning of the operation, and a minimum of 4 inch s of topsoil, seeded and landscaped shall cover those portions of the area where actual removal has taken place. An abandoned pit may either be converted into a recreation area by flooding the pit, to be used as a lake or it may be used as a city refuse disposal area, if so specified by the City Plan and Zoning Commission.
- 26.2 Those land areas in the City of Middletown which are zoned for the conservation of natural resources may be used or maintained for accessory uses such as Farming, Grazing, Luwbering, Wildlife Preserves, Recreational Areas or similar uses, until such a time when the actual removal of the underlying mineral commences.

The City Plan & Zoning Commission shall be the final determining body 26.3 for the provisions set forth under Section 25,

24. TOPSOIL, SAND AND GRAVEL

- 27.1 The Middle town City Plan & Zoning Cormission may, after legal advertisement and Public Hearing, permit the removal of topsoil, sand and gravel in any zone, subject to the approval of the City Plan & Zoning Commission and the following restrictions :
 - The potitioner shall submit to the City Plan & Zoning Commission a, a plan showing existing grades in area prior to the reroval of top-side and rear lard depths am widths to control noise, dust, heavy trucking, etc., when bordering any lot line. Proper drainage shall be maintained throughout operation and no temporary or permanent damage shall be inflicted upon adjacent property owners, No removal shall take place within 30 linear feet of a property line
 - The petitioner shall also submit a plan showing proposed finished grades after completion of the operation, as well as a drainage system for the entire area. Said area shall be restored to a condition as designated by the Gir Plan & Zoning Cormission at the time of approval of the operation and a minimum of 4 inches of topsoil, seeded, shall cover that portion of the area where the actual removal has taken place,
- 20,2 Prior to the approval of permits for the removal of topsoil, sand and gravel, the petitioner shall submit a performance bond to the Gity Plan and Zoning Commission in an amount estimated at 50% of the total costs of the improve-

J. Million

20.2 (Continued):

ments. The Giby Flen & Zoning Commission in turn shell file said bond with the Office of the Comptroller,

- 2%.3 Any surplus topsoil, sand and gravel resulting from genuine agricultural, constructual or landscaping operations need not comply with the provisions set forth under this section.
- No permits for the removal of topsoil, sand and gravel shall exceed two years at a time.

28. NONCONFORMING USES

- 28.1 Existing Building or Structures: The lawful use of any building, structure or land area existing at the time of passage of this ordinance may be continued although such use does not conform with the provisions set forth in this ordinance.
- 28.2 Unsafe Buildings or Structures: Any building or structure or portion thereof declared unsafe by a proper authority may be restored to a safe condition.
- 29.3 Alterations: A nonconforming use of a building or structure may not be reconstructed or structurally altered during its life to an extent exceeding in aggregate cost 50% of its assessed value, unless said building or structure is changed to a conforming use.
- 28.4 Construction Approved Prior to Passage of This Ordinance: Nothing contained within this ordinance shall require any change in plans, construction or designated use of a building or structure for which a building permit has been heretofore issued; however, the building or structure shall be

- 29.4 Construction Approved Prior to Passage of This Ordinance (Continued):

 completed in its entirety according to such plans as filed within 2 years
 from the effective date of this ordinance.
- 28.5 Restoration: No building or structure damaged by fire, explosion, the act of Ged, etc., to an extent of more than 50% of its assessed value shall be rebuilt except to a conforming use. Any building or structure damaged to an extent of less than 50% of its assessed value shall be permitted to repair or rebuild to whatever condition existed prior to damage.
- 28.6 Abandonment: Whenever a nonconforming use has been discontinued for a period of 1 year or more, such use shall not thereafter be re-established, and any future use shall conform with the provisions set forth in this ordinance.
- 25.7 Extension: No nonconforming use shall be extended after the effective date of this ordinance.
- 27.8 Changes: Once changed into a conforming use or a higher classification of a nonconforming use, no such use shall be permitted to revert to a lower nonconforming use.
- 23.9 <u>Displacement</u>: No nonconforming use shall be extended to displace a conforming use.

24. ZONING BOARD OF APPEALS

29.1 The Zoning Board of Appeals shall consist of 5 regular members and 3 alternate members. The members shall be appointed by the Mayor, and shall serve without compensation. Said Board shall elect a chairman

29.1 (Continued):

and appoint a secretary from its members and a record shall be kept of all its proceedings, including the vote of every member upon each item, of if absent or failing to vote, and all records shall be filed in the office of said Board and available to the public. Before acting on any matter, said Board shall hold a public hearing as required by law,

- 24.2 Tre Zoning Board of Appeals shall have the following powers and duties:
 - a. To hear and decide appeals where it is alleged that there is an error in any order, requirement or decision made by the agent of the Commission or any other official charged with the enforcement of these regulations.
 - b. To hear and decide all matters including special exceptions upon which it is required to pass by the specific terms of these regulations, and
 - regulations in harmony with their general surpose and intent and with due consideration for conserving the public health, safety, convenience, welfare and property values solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the zone in which it is situated, a literal enforcement of those regulations would result in exceptional difficulty or unusual hardship so that substantial justice will be done and the public safety and welfare secured.

25.3 Any decisions or actions taken by the Zoning Board of Appeals shall conform in general with the City of Middletown Comprehensive Plan, the City of Middletown Comprehensive Plan for Downtown Urban Renewal and the Capital Improvement Program of the City of Middletown.

30. SPECIAL PERMITTED USES

50.1 General Provisions: In conformity with the general purpose and intent of this ordinance and in accordance with the provisions set forth in this Section, the City Flan and Zoning Commission may, after legal advertisement and public hearing, grant special permits in specific zones for USES listed in this Section as well as those listed under Special Permitted Uses in the individual zones of this ordinance whose location and/or control requires special planning attention.

In addition to the restrictions prescribed by the City Plan and Zoning Commission as set forth in this Section, each such special permit use shall comply with all of the applicable zone regulations and all other applicable provisions set forth in this ordinance, except as otherwise specified in this Section.

The City Plan and Zoning Commission may prescribe additional restrictions in cases where extraordinary circumstances prevail at the time of decision on a grant or denial of a special permit use.

In each specific grant or denial of such special permit use, the City Plan and Zoning Commission's findings shall be supported by substantial evidence or other information considered by said Commission in reaching its final decision, including the personal knowledge of or inspection by the members of said Commission and that said Commission shall show which of its required findings has been satisfied and those that have not.

30.1 General Provisions (Continued):

The City Plan and Zoning Commission shall deny a special permit use whenever such use interferes with a public improvement project, whether such project is approved, pending or in any form of planning stage,

Said Commission may authorize any special permit use for such term of years as it deems appropriate,

- 20.2 Requirements for Petitioners: A petition to the City Plan and Zoning

 Commission for the request of a special permit for uses specified in this

 Section or those listed as Special Permitted Uses in the individual zones

 shall include the following information:
 - a. A site plan showing the location and proposed use of all buildings and structures as well as the location of all vehicular entrances and exits and all off-street parking areas,
 - b. A traffic map showing all arterial highways and major and secondary streets within a one mile radius of the proposed development, including the location of other traffic generating uses within previously mentioned radius of the proposed development.
 - c. The provisions of Section 34 (Amendments to Zoning Ordinance and/or Map) relative legal advertisements, public hearings, etc., shall apply to petitions for special permits by the City Plan and Zoning Commission.
- Agricultural Uses: The City Plan and Zoning Commission may permit agricultural uses in PR-1, R-1, R-2, R-3, R-4, R-5, A-1, CL-1, CL-2, L-1, L-2 or NR-1 Zones, provided that the following requirements are met:

30.3 Agricultural Uses (Continued):

- a. No agricultural building or structure, unless used solely for residential purposes, shall be nearer than 300 linear feet to any lot line of bordering areas. Residential buildings within an agricultural use area shall comply with the applicable zone regulations set forth in this ordinance.
- b. No livestock shall pasture nearer than 50 linear feet to any lot line of bordering areas.
- any agricultural use shall meet approval of the Middletown Public Health Department.
- d. The City Plan and Zoning Commission may prescribe other additional conditions and safeguards to minimize adverse effects on the character of the neighboring area.
- 30.4 Airports: The City Plan and Zoning Commission may permit the construction, reconstruction or expansion of airports and their facilities in PR-1, CI-1, L-1 or L-2 Zones, provided that the following requirements are met:
 - a. In addition to all other information required in Section 29.2 (Requirements for Petitioners), the petitioner shall show the exact location and dimensions of all runways on the site plane
 - b. The airport shall be an appropriate use of the land and it shall not unduly interfere with bordering land uses.
 - c. In the selection of a site special consideration shall be given to locate the airport adjacent to large parks or open areas, especially bodies of water.

30.4 Airports (Continued):

- d. The City Plan and Zoning Commission shall forward the petition to both the State Aeronautics Commission and the Federal Aeronautics Administration for their approval of denial and any recommendations by such agencies shall be considered part of this ordinance.
- conditions and safeguards to minimize adverse effects on the character of the neighboring area, including repulating the height of buildings, structures or trees to be constructed or grown within the area of the airports aerial approaches, the establishment of a setback line for open areas around part or the entire perimeter of the airport, shielding of floodlights, or surfacing of access reads or driveways, etc.

30.5 Arenas, Auditoriums, Carnivals, Circuses, Fairs, Stadiums, or Trade Expositions:

The City Plan and Zoning Commission may permit areas, auditoriums, carnivals, circuses, fairs, stadiums or trade expositions in PR-1, A-1, C-3, C-4, C-5 or CI-1 Zones, provided that the following requirements are met.

- a. The principal vehicular access for such use shall not be located on a local or secondary street.
- b. Such use shall be planned in a manner that a minimum of vehicular traffic will flow through local streets in nearby residential areas.
- c. Such use shall not be located within 300 linear feet of a Residential Zone.

30.5 (Continued):

- d. For the prevention of traffic congestion sufficient reservoir space shall be provided at the vehicular entrances of such use, including an adequate number of entrances and exits. Said vehicular entrances and exits shall be provided separately, and they shall not be located less than 100 linear feet apart.
- e. Special consideration shall be given to the proximity of public transportation to serve such use.
- f. The City Plan and Zoning Commission may prescribe other additional conditions and safeguards to minimize adverse effects on the character of the neighboring area, including limitations on signs or regulating the soundproofing of buildings, shielding of floodlights, screening of open areas, or surfacing of access roads or driveways, etc.
- 30.6 Bus. or Trucking Terminals: The City Plan and Zoning Commission may permit bus or trucking terminals in PR-1, AC-1, C-3, C-4, C-5, CI-2, I-1 or I-2 Zones, provided that the following requirements are met:
 - a. The principal vehicular access for such use shall not be located
 on a local or secondary street.
 - b. Such use shall not be located within 300 linear feet of a Residential Zone.
 - c. Vehicular entrances and exits for such operation shall be provided separately and they shall not be located less than 100 linear feet apart.

20.6 Bus, or Trucking Terminals (Continued):

- d. The City Plan and Zoning Commission may prescribe other additional conditions and safeguards to minimize adverse effects on the character of the neighboring area, including regulating the shielding of fleedlights, screening, or surfacing of access roads or drive-ways, etc.
- 39.7 <u>Children's Amusement Parks</u>: The City Plan and Zoning Commission may permit children's amusement parks in PR-1, C-3, C-5, or I-2 Zones, previded that the following requirements are met:
 - a. The principal vehicular access for such use shall not be located on a local street or on an arterial highway,
 - b. Such use stall be planned in a manner that a minimum of vehicular traffic will flow through local streets in nearby residential areas.
 - c. Such use shall not be located within 1000linear feet of a Residential Zone.
 - d. Vehicular entrances and exits for such operation shall be provided separately and they shall not be located less than 100 linear feet apart.
 - conditions and safeguards to minimize adverse effects on the character of the neighboring area, including limitations on signs or regulating the shielding of floodlights, or surfacing of access roads or driveways, etc.
- 30.8 Day Camps, Outdoor: The City Plan and Zoning Commission may permit outdoor

37.8 Day Camps, Outdoor (Continued):

day camps, whether commercial or philantropic, in PR-1, AC-1, C-1, C-3, C-4 or C-5 Zones, provided that the following requirements are met:

- a. Camp equipment for such use shall not be affixed nearer than 50 linear feet to any side or rear yard.
- b. The City Plan and Zoning Commission may prescribe other additional conditions and safeguards to minimize adverse effects on the character of the neighboring area, including regulating the size of let, screening, parking facilities, etc.
- 29.9 <u>Drive-In Theaters:</u> The City Plan and Zoning Commission may permit drive-in theaters in C-3, C-5, CL-2, I-2 or NR-1 Zones, provided that the following requirements are mat:
 - a. The principal vehicular access for such use shall not be located on a local street or on an arterial highway.
 - b. Such use shall be planned in a manner that a minimum of vehicular traffic will flow through local streets in nearby residential areas.
 - c. Such use shall not be located within 300 linear feet of a Residential Zone.
 - d. For the prevention of traffic congestion sufficient reservoir space shall be provided at the vehicular entrance of such use, including an adequate number of entrances and exits. Said entrances and exits shall be provided separately, and they shall not be located less than 100 linear feet apart.

30.9 Drive-In Theaters (Continued):

e. The City Plan and Zoning Commission may prescribe other additional conditions and safeguards to minimize adverse effects on the character of the neighboring area, including limitations on signs or regulating the shielding of floodlights, maximum capacity, screening, or surfacing of access roads or driveways, etc.

30.10 Electric or Gas Substations, Telephone Exchanges, or other Public Utilities:

The City Plan and Zoning Commission may, for the purpose of coordinating the development of the City of Middletown and for the purpose of promoting health, safety, comfort of living and working conditions and general welfare of the citizens of the City of Middletown, permit electric or pas substations, telephone exchanges, or other public utilities, such as water or sewage pumping stations, fire or police stations in all zones, provided that the following requirements are met:

- a. An adequate land area shall be provided for each such use, but in the case of electric or gas substations, telephone exchanges or water or sewage pumping stations the minimum lot size shall be 5000 square feet and the minimum frontage shall be 50 linear feet.
- b. Such use shall be an appropriate use of land and it shall not unduly interfere with bordering land uses.
- c. The principal vehicular access for fire and police stations shall not be located on a local street and such vehicular access shall not be located near public or private parks, schools or playgrounds.
- d. Fire or police stations shall be planned in a manner that a minimum of vehicular traffic will flow through local streets in nearby residential areas,

30.10 (Continued):

- e. The City Plan and Zoning Commission may prescribe other additional conditions and safeguards to minimize adverse effects on the character of the neighboring area, including regulating the architectual or landscaping treatment, screening of apparatus, construction of fences or other safety devices, soundproofing, shielding of fleed-lights, or surfacing of access reads or driveways, etc.
- 30.11 Golf Courses, or Golf Driving Ranges: The City Plan and Zoning Commission may permit golf courses or golf driving ranges in PR-1, R-2, R-3, R-4, A-1, C-1, C-2, C-5, I-1, or NR-1 Zones, provided that the following requirements are met:
 - e. Such use shall have a minimum setback of 40 linear feet around the entire perimeter of the course, except for that area where the facilities for such use are erected.
 - b. The principal vehicular access for such use shall not be located on a local street or on an arterial highway.
 - e. Such use shall be planned in a manner that a minimum of vehicular traffic will flow through local streets in nearby residential areas.
 - d. Golf Driving Ranges shall be provided with a fence around part or the entire perimeter of the course.
 - e. The City Plan and Zoning Commission may prescribe other additional conditions and safeguards to minimize adverse effects on the character of the neighboring area, including regulating the shielding of floodlights, screening of open areas, or surfacing of access roads or driveways, etc.

- 30.12 Helioports: The City Plan and Zoning Corrission may permit the construction, reconstruction or expansion of helioports and their facilities in PR-1, C-5, CI-1, CI-2, I-1, or I-2 Zones, provided that the following requirements are met:
 - a. In addition to all other information required in Section 29.2

 (Requirements for Petitioners) the petitioner shall show the exact location and dimensions of landing areas on the site plan.
 - b. The helieport shall be an appropriate use of the land and it shall not unduly interfere with berdering land uses.
 - c. In the selection of a site special consideration shall be given to locate the heliopxet adjacent to large parks or open areas, especially bodies of water.
 - d. The City Plan and Zoning Commission shall forward the petition to both the State Aeronautics Commission and the Federal Aeronautics Administration for their approval or denial and any recommendations by such agencies shall be considered part of this Ordinance.
 - e. The City Plan and Zoning Commission may prescribe other additional conditions and safeguards to minimize adverse effects on the character of the neighboring area, including regulating the establishment of a setback line for open areas around port or the entire perimeter of the heliopert, shielding of floodlights, or the surfacing of access reads or driveways, etc.
- 30.13 Horse Stables or Riding Academies: The City Plan and Zoning Cormission may permit horse stables or riding academies in PR-1, R-2, R-3, C-1, CL-2, I-2, or NR-1 Zones, provided that the following requirements are met:

30.13 Horse Stables, or Riding Academies (Continued):

- a. No buildings or structures for such use shall be nearer than 300 linear feet to any lot line of bordering areas. Residential buildings within a horse stable or riding academy use area shall comply with the applicable zone regulations set forth in this Ordinance.
- b. No livestock shall pasture nearer than 50 linear feet to any lot line of bordering areas.
- c. Any such use shall meet approval of the Middletown Public Health
 Dapartment.
- d. The City Plan and Zoning Commission may prescribe other additional conditions and safeguards to minimize adverse effects on the character of the neighboring area.
- 20.14. Parking Carages, or Parking Lots (Commercial): The City Plan and Zoning Commission may permit parking garages or parking lots (commercial) in PR-1, AC-1, C-3, C-4, C-5, CI-1, CI-2, I-1, or I-2 Zones, provided that the following requirements are met:
 - a. The principal vehicular access for such use shall not be located on a local street. Only in a C-4 Zone may such use be located on a local street.
 - b. Such use shall be planned in a manner that a minimum of vehicular traffic will flow through local streets in nearby residential areas.
 - e. For the prevention of traffic congestion extra-sufficient reservoir space shall be provided at the vehicular entrance of such use,

- 39.14 Parking Garages, or Parking Lots (Commercial) (Continued):
 - including an adequate number of entrances and exits. Said vehicular entrances and exits shall be provided separately.
 - d. The City Plan and Zoning Commission may prescribe other additional conditions and safeguards to minimize adverse effects on the character of the neighboring area, including limitations on signs, or regulating the shielding of floodlights, etc.
- 20.15 Racetracks: The City Plan and Zoning Commission may permit racetracks in PR-1, R-2, or R-3 Zones, provided that the following requirements are met:
 - a. The principal vehicular access for such use shall not be located on a local street.
 - b. Such use shall be planned in a manner that a minimum of vehicular traffic will flow through local strests in nearby residential areas,
 - shall be provided at the vehicular entrance of such use, including an adequate number of entrances and exits. Said vehicular entrances and exits shall be provided separately, and they shall not be located less than 100 linear feet apart.
 - d. Special consideration shall be given to the proximity of public transportation to serve such use.
 - conditions and safeguards to minimize adverse effects on the character of the meighboring area, including limitations on signs or regulating the size of front, side or rear yards, shielding of floodlights, screening of open areas, or surfacing of access roads or driveways, etc.

- 20.16 Radio or Television Towers: The City Plan and Zoning Commission may permit radio or television towers in all Zones, provided that the following requirements are met:
 - a. Such use shall be an appropriate use of land and it shall not unduly interfere with bordering land uses.
 - b. The tower shall be so erected that the minimum distance between the tower and my lot line will equal the raximum height of the tower above ground level.
 - c. The City Plan and Zoning Commission may prescribe other additional conditions and safeguards to minimize adverse effects on the character of the neighboring area.
- 30.17 Railroad Passenger Stations: The City Plan and Zoning Commission may permit railroad passenger stations in all Zones, except NR-1 Zones, provided that the following requirements are met:
 - a. The principal vehicular access for such use shall not be located on a local street.
 - b. Such use shall be planned in a manner that a minimum of vehicular traffic will flow through local streets in nearby residential areas.
 - e. Vehicular entrances and exits for such an operation shall be previded separately and they shall not be located less than 100 linear feet apart.
 - d. The City Plan and Zoning Commission may prescribe other additional conditions and safeguards to minimize adverse effects on the char-

30.17 Railroad Passenger Stations (Continued):

acter of the meighboring area, including regulating the shielding of floodlights, screening of open areas, or surfacing of access reads or driveways, etc.

- 30.18 Salvage or Junk Yards: The City Plan and Zoning Cormission may permit salvage or junk yards in C-5, CI-2, I-2, or NR-1 Zones, provided that the following requirements are met:
 - a. Such use shall be an appropriate use of land and it shall not unduly interfere with bordering land uses.
 - b. Such use shall not be located within 1000 linear feet of a Residential Zone.
 - not to locate such use in the preximity of churches, schools, heapitals, public buildings or other places of assembly, or when a sufficiency in number of such uses are existing in the vicinity.
 - d. Such use shall be cameuflaged with times or shrubs, or a fence of at least 8 linear feet in height around the entire perimeter of the operation.
 - e. The City Plan and Zoning Commission may prescribe other additional conditions and safeguards to minimize adverse effects on the character of the meighboring area, including regulating size of front, side or rear yards, size of lot, or surfacing of access roads or driveways, etc.
 - f. Any present or agent of any firm or corporation who violates any provision of this Paragraph (29.18) shall be fined not more than

20.18 Salvage, or Junk Yards (Continued):

100 dellars or imprisoned not more than 90 days or both for each day such violation continues as provided in the General Statutes of the State of Connecticut. The amount of fine or number of day are subject to periodic change according to amendments of the General Statutes.

20.19 Uses Not Included In This Ordinance: Any use not mentioned in this Section or in the individual Zones shall be considered as a Special Permitted Use, unless of Permitted by City Plan and Zening Commission.

30. BUILDING PERMITS

- Applications for Building Permits: No building or structure shall be constructed or structurally altered until an application for a Building Permit has been filed with the Building Inspector of the City of Middletown and a Building Permit has been issued. Each and every applicant shall, prior to filing an application for a building permit, obtain a Certificate of Approfrom the Office of the City Plan and Zening Commission. Said Commission shall determine whether or not such construction or structual alteration is in accordance with the City of Middletown Zoning Ordinance, Zoning Map,

 General Plan Map, Comprehensive Plan for Downtown Urban Renewal, Capital Improvement Program, or Subdivision Regulations. All procedures and regulations of the City of Middletown Building Code shall apply for applications for building permits.
- Building Permits Issued Prior to Effective Date of this Ordinance or

 Amendments Thereto: Any Building Permits issued prior to the effective dat

 of this ordinance or any amendments thereto shall be void if construction to

 not been commenced before said date, unless the construction to be taken

W.2 (Continued):

under such permit is in accordance with this ordinance or the amendments thereto. Construction shall be considered commenced if the footing of a foundation has been completed.

32. CERTIFICATES OF OCCUPANCY

Applications for Certificates of Occupancy: No building or structure, or use shall be occupied or used, in whole or in part, until an application for a Certificate of Occupancy has been filed with the Building Inspector of the City of Middletown and a Certificate of Occupancy has been issued.

All procedures and regulations of the City of Middletown Building Code shall apply for applications for Certificates of Occupancy and all such certificates issued shall be in accordance with the regulations of this ordinance.

33. LICENSES AND PERMITS BY STATE AGENCIES

- 33.1 Gaseline Station Licenses: No person, firm or corporation shall operate or maintain a gaseline station for the purpose of merchandising gaseline or any other products or services incidental thereto, unless a license to establish, operate and maintain such a business has been obtained from the Commissioner of Motor Vehicles of the State of Connecticut.
- 33.2 Motor Vehicle Salvage & Junk Yard Licenses: No person, firm or corporation shall operate or maintain a meter vehicle salvage or junk yard for the purpose of merchandising parts and scrap metals or any other products or services incidental thereto, unless a license to establish, operate and maintain such a business has been obtained from the Commissioner of Notor Vehicles of the State of Connecticut.

- New Car Dealers! Licenses: No person, firm or corporation shall operate or maintain a new car dealer's business for the purpose of merchandising new motor vehicles or any other products or services incidential therete, such as sell used motor vehicles or repair motor vehicles, unless a license to establish, operate and maintain such a business has been obtained from the Commissioner of Motor Vehicles of the State of Connecticut.
- Menairers' Licenses: We person, firm or corporation shall operate er maintain a motor vehicle repair garage for the purpose of merchandising motor vehicle repair services, unless a license to establish, operate and maintain such a business has been obtained from the Commissioner of Notor Vehicles of the State of Connecticut.
- Of Motor Vehicles of the State of Connecticut.
- 33.6 Liquer Permits: No person, firm or corporation shall operate or maintain an alceholic liquer business for the purpose of merchandising alceholic liquors or any other products or services incidental therete, unless a permit to establish, operate and maintain such a business has been eletained from the Liquer Commission of the State of Connecticut.

37. EXCEPTIONS TO THE ZONING ORDINANCE

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#.1 Lots recorded and filed in the Office of the Town Clerk of the City of Middletona prior to the effective date of this ordinance shall be exempt

'\$.1 (Continued):

from the regulations of this ordinance regulating the size of the let; however such lots shall otherwise conform with the applicable regulations of this ordinance.

35. AMENDMENTS TO ZONING ORDINANCE AND/OR MAP

36.1 Amendments: The City Plan and Zoning Commission may, either on its own motica or on a petitica of others, amend the regulations of this Ordinance or the boundaries of the individual zones as shown on the Zoning Map. No such amendment of regulation or boundary shall become effective or established until after a Public Hearing in relation therete has been held. Notice of time and place of such hearing shall be published in the form of a Legal Advertisement appearing in a newspaper having a substantial circulation in such municipality. The legal advertisement shall appear at least twice at intervals of not less then 2 days, the first not more than 15 days nor less than 10 days, and the last not less than 2 days, prior to such hearing. A copy of such proposed amendment of regulation or boundary shall be filed in the Office of the Town Clerk for public inspection at least 10 days prior te such hearing. The City Plan and Zoning Cemaission may, from time to time, change such proposed amendment of regulation or boundary by a majority vote of such commission. If a protest is filed at such hearing with the City Plan and Zoning Commission against such change, such protest shall be signed by the owners of 20% or more of the area of the lots included is auch proposed change or of the lots within 500 feet in all directions of the proposed property included in the proposed change. Such change shall not be adopted except by a vote of 2/3 of all the rembers of such commission. Any such petitions submitted shall be considered at a Public Hearing by the City Plan and Zoning Commission within 90 days after receipt

35.1 Amendments (Continued):

of such petition and said commission shall adopt or deny the changes requested in such petition within 60 days after the hearing. The number of days, the per centage or the feetage are subject to periodic change according to amendments of the General Statutes of the State of Connecticut.

Appeals: Any person, firm or corporation aggrieved by any decision of the City Plan and Zoning Commission may, within 15 days from the date when such decision was rendered, take an appeal to the Court of Common Pleas. The number of days after decision rendered are subject to periodic change according to assendments of the General Statutes of the State of Connecticut.

36. VIOLATIONS, ENFOREBMENT AND PENALTIES

- Violations: Any official having jurisdiction may institute an action of proceeding to prevent the violation of the regulations of this Ordinance.
- 26.2 Enforcement: All regulations of the Ordinance shall be enforced by the Building Inspector or any other designated City Official of the City of Middletown who is hereby authorized to inspect and examine any building, structure or use and to order in writing the remedying of any condition found to exist in violation of this Ordinance.
- 26.3 Penalties: The owner or agent of any building or premises where a viclation of any provision of this Ordinance has been committed or exists, or the lesses or tenant of an entire building or entire premises where such violation has been committed or exists, or the owner, agent, lesses or tenant of any part of the building or premises in which such violation has been committed or exists, or the agent, architect, builder, contractor or any other person who commits, takes part or assists in any



Penalties (Continued):

such violation or who maintains any building or premises in which any such violation exists, shall be fined not less than 10 or more than 100 dellars for each day that such violation continues. However, if the offense is wilful, the person convicted thereof shall be fined not less than 100 dellars nor more than 250 dellars for each day that such violation continues or imprisoned not more than 10 days for each day such violation continues or both. Any person whe, having been served with an order to discontinue any such violation, fails to comply with such order within 10 days after such ice or continues to violate any provision of the regulations of this Ordinance shall be subject to a civil penalty of 250 dellars, payable to the Treasurer of the City of Middletown. (Separate regulations for penalties are provided for Notor Vehicle Junk Yards — see Section 29, Paragraph 18F) The amount of fine and number of days are subject to periodic change according to amendments of the General Statutes of the State of Connecticut.

37. VALIDITY

37.1 If any Section, Paragraph, Subdivision, Clause or Provision of this Ordinance be adjudged invalid, such adjudication shall apply only to the Section, Paragraph, Subdivision, Clause or Provision so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

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